

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/09/06 **DATE OF COMPLETION:** 06/29/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer arrested the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** U **DEPT. ACTION:**

FINDINGS OF FACT: The officer stated that the complainant was not arrested but rather detained for further investigation because a victim saw the complainant in a store, identified him as a robbery suspect and called for police assistance. The Department documentation supported the named member's statement. The evidence proved that the act alleged in the complaint did not occur.

SUMMARY OF ALLEGATION # 2: The officer made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the arresting officer provided him with "false" information as to the reasons for the arrest. According to the complainant, the officer said that the complainant was taken into custody because he had robbed someone with a gun a week prior. The named member stated that the complainant was not arrested but detained for further investigation when a victim identified him as a robbery suspect. According to the officer, at the time, he informed the complainant that he was being detained as a robbery suspect involving the use of a gun. The evidence obtained by the OCC showed that the information provided to the complainant at the time of this incident was factually accurate and therefore, appropriate.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/06/06 **DATE OF COMPLETION:** 06/16/06 PAGE# 1 of 1

SUMMARY OF ALLEGATIONS #1-2: The officers used unnecessary force.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated while fleeing custody, he tripped and fell facedown. He stated that an officer caught up with him and slammed him to the ground. The officer stated he chased and tackled the complainant to bring him to the ground to handcuff him. The officer stated he had reasonable suspicion to believe that the complainant may have been armed. The officer's partner stated that he grabbed the complainant's arm to help handcuff the complainant. There were no available witnesses. There was insufficient evidence to establish the level of force necessary to arrest the complainant.

SUMMARY OF OCC ADDED ALLEGATIONS #1-2: The officers failed to report use of force.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he did not need or request medical assistance. He stated that a bruise around his eye did not become visible until after he was out of police custody. The officers stated that the complainant had no visible injuries, did not complain of pain and did not request medical assistance. There were no available witnesses. There was insufficient evidence to establish the level of force necessary to arrest the complainant.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/10/06 **DATE OF COMPLETION:** 06/13/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer used unnecessary force.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named and one witness officer denied the allegation. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer failed to call a female officer.

CATEGORY OF CONDUCT: ND **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The named and one witness officer denied the allegation, stating there was no need for a female officer to respond. Department training and procedures do not preclude male officers from detaining females. The evidence proved that the acts that provided the basis for the allegations occurred; however, such acts were justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/10/06 **DATE OF COMPLETION:** 06/13/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officer failed to properly process property.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named and two witness officers denied the allegation. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/19/06 **DATE OF COMPLETION:** 06/14/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer displayed a firearm without justification

CATEGORY OF CONDUCT: UA **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: The officer was not identified, due to lack of cooperation from the complainant and the parent/guardian. OCC has made numerous contacts to the parent with negative follow through to contact the OCC. The complainant and the parent/guardian failed to provide additional requested evidence.

SUMMARY OF ALLEGATION #2: The officer made inappropriate comments and behavior.

CATEGORY OF CONDUCT: CRD **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: The officer was not identified, due to lack of cooperation from the complainant and the parent/guardian. OCC has made numerous contacts to the parent with negative follow through to contact the OCC. The complainant and the parent/guardian failed to provide additional requested evidence.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/19/06 **DATE OF COMPLETION:** 06/14/06 **PAGE# 2 of 2**

SUMMARY OF ALLEGATION #3: The officer arrested the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: The officer was not identified, due to lack of cooperation from the complainant and the parent/guardian. OCC has made numerous contacts to the parent with negative follow through to contact the OCC. The complainant and the parent/guardian failed to provide additional requested evidence.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/19/06 **DATE OF COMPLETION:** 06/30/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer harassed the complainant.

CATEGORY OF CONDUCT: CRD **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The officer denied the allegation, stating that he made contact with the appropriate commanding officer after receiving a complaint on the complainant of an illegal activity. The officer denied the allegation, stating that he was requested to perform surveillance duties by another city agency and by his commanding officer. The evidence proved that the acts which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/23/06 **DATE OF COMPLETION:** 06/16/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATIONS #1 and #2: The officers arrested the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant denied being in the condition alleged by the officers. The officers stood by their assessment as to the condition of the complainant at the time of the detention. There were no other identified witnesses. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATIONS #3 and #4: The officers used unnecessary force against the complainant.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officers denied the allegation. Photographs and medical reports document laceration and bruising to several areas of the complainant's body. The complainant had been in a physical altercation which was the cause of the police contact. There were no identified witnesses. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/23/06 **DATE OF COMPLETION:** 06/16/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #5: The officer made an inappropriate comment.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The booking officers denied making or hearing any officer make the alleged comment at the jail. The investigation was unable to identify any member who made the alleged comment. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/25/06 **DATE OF COMPLETION:** 06/09/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer failed to prepare an Incident Report

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he went to the police station and asked to file a report concerning a verbal altercation with another tenant at his hotel during which the complainant felt threatened, but that the officer he spoke to refused to prepare a report. The officer the complainant claimed he dealt with was not working on the day the complainant said he went to the station. There is insufficient evidence to identify the involved officer, or to prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer failed to prepare an Incident Report

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he went to the police station and asked to file a report concerning a verbal altercation with another tenant at his hotel during which the complainant felt threatened, but that the officer he spoke to refused to prepare a report. The officer stated that the complainant gave him a one-page handwritten account of the incident, and that when he asked the complainant questions necessary for him to prepare a report, the complainant became upset, took his handwritten account and left the station. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/24/06 **DATE OF COMPLETION:** 06/16/06 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: This allegation raises matters outside OCC's jurisdiction.

CATEGORY OF CONDUCT: **FINDING:** IO1 **DEPT. ACTION:**

FINDINGS OF FACT: This allegation raises matters outside OCC's jurisdiction. This allegation has been referred to:

Pier 39
Attn: Mr. Joe Smith, VP of Operations
P.O. Box 193730
San Francisco, CA 94119-3730
(415) 705-5500

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/01/06 **DATE OF COMPLETION:** 06/16/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer issued a citation that was racially motivated.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant alleged that the traffic stop was racially motivated. The named officer and his partner stated that the complainant was stopped due to numerous vehicle code violations. No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer failed to provide his name and star number upon request.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named officer and his partner stated that the information was provided to the complainant. No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/30/06 **DATE OF COMPLETION:** 06/29/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1-3: The officers exhibited inappropriate comments or behavior.

CATEGORY OF CONDUCT: CRD **FINDING:** M **DEPT. ACTION:**

FINDINGS OF FACT: The parties agreed to mediate this complaint. The complainant's non-appearance for mediation resulted in closure of this complaint, pursuant to San Francisco Police Commission Rule and Regulation §600.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/09/06 **DATE OF COMPLETION:** 06/30/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer issued a citation without cause.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer denied the allegation and said that one of the headlights was not operating properly at the time of his observation. There is inconclusive evidence whether or not both headlights were working properly at the time of the traffic stop. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer made a racially derogatory remark.

CATEGORY OF CONDUCT: RS **FINDING:** U **DEPT. ACTION:**

FINDINGS OF FACT: The officer and a witness on scene denied the allegation. The preponderance of the evidence established that the act alleged in the allegation did not occur.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/14/06 **DATE OF COMPLETION:** 06/30/06 **PAGE#** 1 of 3

SUMMARY OF ALLEGATION #1: The officer exhibited an intimidating manner and made intimidating comments.

CATEGORY OF CONDUCT: CRD **FINDING:** S **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer came into the store where she works and wanted to return a sweater that he had purchased for his wife. The officer claimed that he had paid \$168 for the sweater, but did not have a receipt. A sales associate explained to the officer that store policy mandated that without a receipt, he could only receive a merchandise credit for \$40, because they could not ascertain what he had paid for the sweater. The officer left, then returned to the store and protested the store's policy. The officer repeatedly asked a sales associate to refund the full amount he claimed he paid for the sweater. The sales associate to whom the officer spoke confirmed that the officer repeatedly asked her to refund the full amount he had paid after the store's refund policy had been explained to him. The sales associate stated that she felt his manner and statements were intimidating. The store's manager stated that she felt that the officer's manner in dealing with the sales associate was so intimidating that she verbally admonished him about this. She stated that in response, the officer asked her if she wanted to write him up. Two sales associates stated that while complaining about their refusal to refund all his money, the officer said that his credit union had lost some of his money that day. The officer stated that he went to the store to return the sweater, and that the store's refund policy was explained to him by two different sales associates. The officer stated that he left the store, then returned, and spoke again to a sales associate attempting to obtain a refund for the full price he paid for the sweater. The officer denied repeatedly making the statements the sales associates said he made, and said he did not recall saying anything about his credit union. The officer denied asking the store manager whether she wanted to write him up. A preponderance of the evidence proved that the conduct complained of did occur, and that, using as a standard the applicable regulations of the Department, the conduct was improper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/14/06 **DATE OF COMPLETION:** 06/30/06 **PAGE# 2 of 3**

SUMMARY OF ALLEGATION #2: The officer misused police authority.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer came into the store where she works and wanted to return a sweater that he had purchased for his wife. The officer claimed that he had paid \$168 for the sweater, but did not have a receipt. A sales associate explained to the officer that store policy mandated that without a receipt, he could only receive a merchandise credit for \$40, because they could not ascertain what he had paid for the sweater. The officer left, then returned to the store and protested the store's policy. The officer repeatedly asked the sales associate in an intimidating manner whether she would refund the full amount he had paid. The sales associate to whom the officer spoke confirmed that the officer repeatedly asked her to refund the full amount he had paid after the store's refund policy had been explained to him. The sales associate stated that she felt the officer's manner and statements were intimidating. The store's manager stated that she felt that the officer's manner in dealing with the sales associate was so intimidating that she verbally admonished him about this. She stated that in response, the officer asked her if she wanted to write him up. The officer stated that his wife asked him to take the sweater he purchased for her to this store because she knew that he was working a foot patrol assignment in the complex where the store is located. The officer stated that the store's refund policy was explained to him by two different sales associates. The officer stated that he left the store, then returned, and spoke again to a sales associate attempting to obtain a refund for the full price he paid for the sweater. The officer denied attempting to use his status as a police officer to seek special treatment from store personnel. There is insufficient evidence to prove or disprove whether the officer intentionally used his status as a police in a misuse of police authority during this interaction.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/14/06 **DATE OF COMPLETION:** 06/30/06 **PAGE#** 3 of 3

SUMMARY OF ALLEGATION #3: The officer used profanity.

CATEGORY OF CONDUCT: D **FINDING:** S **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer came into the store where she works and wanted to return a sweater that he had purchased for his wife. The officer claimed that he had paid \$168 for the sweater, but did not have a receipt. A sales associate explained to the officer that store policy mandated that without a receipt, he could only receive a merchandise credit for \$40, because they could not ascertain what he had paid for the sweater. The officer left, then returned to the store and protested the store's policy. As the officer left the store again, he told the sales associate that they could keep the sweater, and uttered a profanity. A witness confirmed that the officer used profanity. Another witness stated that she did not hear the officer use profanity, but that immediately after he left, the complainant and another store employee told her that he had. Another sales associate stated that she was too far away to hear what the officer said, but that after he left, others in the store said that he used profanity. The officer denied using profanity. A preponderance of the evidence proved that the officer used profanity and that, using as a standard the applicable regulations of the Department, the conduct was improper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/16/05 **DATE OF COMPLETION:** 06/30/06 **PAGE#** 1 of 3

SUMMARY OF ALLEGATION #1: The officer used unnecessary force during an arrest.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that an unidentified officer put his knee on an arrestee's back unnecessarily during an arrest. The three officers who subdued the arrestee denied putting their knee in the arrestee's back. The arrestee did not respond to requests for an interview and was killed during an unrelated incident. The complainant declined to name potential witnesses he said were present. There were no other witnesses who came forward. There is insufficient evidence either to identify the officer involved or to prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer filed false charges.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named officer and three other arresting officers denied the allegations, saying that they observed an arrestee drop drugs on the ground. The arrestee did not respond to requests for an interview and was killed in an unrelated incident. There were no other witnesses who came forward. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/16/05 **DATE OF COMPLETION:** 06/30/06 **PAGE# 2 of 3**

SUMMARY OF ALLEGATION #3: The officer used profanity.

CATEGORY OF CONDUCT: D **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: Six officers at the scene denied the allegation. The complainant and one witness gave conflicting accounts of the conversation and could not identify the officer who used profanity. No other witnesses came forward. There is insufficient evidence either to identify the officer or to prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer failed to give star numbers on request.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that three of four officers at the scene refused to give their star numbers on request. The three named officers denied the allegations, stating that they all gave their star numbers to the complainant on his request. A witness said she heard two officers refuse to give their star numbers and could not identify them. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/16/05 **DATE OF COMPLETION:** 06/30/06 **PAGE#** 3 of 3

SUMMARY OF ALLEGATION #5: The officer engaged in inappropriate behavior.

CATEGORY OF CONDUCT: CRD **FINDING:** U **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that one of three officers used a disrespectful tone and words in speaking to his mother. Four officers at the scene denied the allegation. The complainant's mother denied that any officer made the statement alleged by the complainant and specifically denied that any officer was disrespectful to her.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/10/06 **DATE OF COMPLETION:** 06/15/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer failed to properly investigate.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he pawned his laptop computer, and when he went to retrieve it two weeks later, he discovered that a hold had been placed on it by the San Francisco Police Department. The complainant telephoned and then met with the officer who had placed the hold, and was told that the computer had been reported stolen in another state. The officer told the complainant that the manufacturer of the computer had no records concerning its purchase by the complainant. The complainant asked why the officer had not contacted him by telephone about the matter, and the officer responded that he did not have the complainant's contact information. When the complainant contacted the computer's manufacturer, he was able to obtain his warranty information. The complainant also obtained documentation of his purchase of the computer from his credit card company, but never gave it to the officer because he was not asked for it.

The named officer stated that a computerized stolen property database made a match with the serial number of the complainant's computer that was listed on the pawn slip, indicating that it was reported stolen in another state. The officer placed a hold in the computer and contacted the out-of-state police department, which confirmed the match to the stolen computer. The officer attempted to contact the out-of-state detective handling the case, but had continuing difficulties in reaching him. The officer contacted the computer's manufacturer, which checked their records and could find no ownership information on record in connection with this computer, and no records concerning the complainant. The officer stated that during a meeting with the complainant, he gave the complainant all the information he had, and attempted to contact the out-of-state investigator in the complainant's presence, without success, but was told by another member of that police department to continue the hold on the computer. The named officer stated that the complainant told him that he thought he had discarded the receipt for the computer, and that the complainant refused to write a statement detailing his purchase of the computer. The named officer stated that he released the hold on the computer as soon as the out-of-state police agency authorized him to do so.

The named officer's written record of his investigation confirmed his statements. They also indicate that during his first contact with a representative of the computer's manufacturer, he was told that the only unique identifying number for each of their computers is a type of number different from the serial number on which the stolen property report and the hold had been based. The officer's written record does not reflect him taking any further action in light of this information, and does not reflect him passing this information on to the out-of-state investigator or to the complainant. The officer's written record also does not reflect any attempt to contact the complainant, although the complainant's name, full address and driver's license number were included on the pawn slip, and the complainant's phone number would have been accessible through directory information. There is insufficient evidence to determine whether the officer took all reasonable and prudent investigative steps to determine in a timely manner whether the complainant's computer was stolen. Therefore, there is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/13/06 **DATE OF COMPLETION:** 06/25/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer used force against the complainant.

CATEGORY OF CONDUCT: UF **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: The complainant failed to respond to OCC request for an interview and has failed to provide information to further the investigation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/15/06 **DATE OF COMPLETION:** 06/28/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer behaved inappropriately and made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** S **DEPT. ACTION:**

FINDINGS OF FACT: The officer stated that he threatened to shoot the complainant's dog because he was concerned for his own safety and the safety of his dog. Two witnesses stated that the complainant's dogs were being aggressive with the officer's dogs but were not biting or attacking the dog. Two witnesses did not state that the officer's safety was in jeopardy. All parties agreed that the complainant took control of her dogs before any harm was done. The Daly City Police Report documenting this incident states that the officer reported he was concerned for the safety of his dog, but not himself. Department General Orders 5.01 allows an officer to shoot a dangerous dog only when there are no other alternatives. The member's threat to shoot the complainant's dog was inappropriate. The allegation is sustained.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/22/06 **DATE OF COMPLETION:** 06/09/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION # 1: The officer engaged in unsafe driving.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer ran a red light when the complainant, together with several other pedestrians, was crossing a busy downtown street. The officer denied the allegation. There were no other identifiable witnesses to the occurrence. The available evidence was insufficient to either prove or disprove the allegation.

SUMMARY OF ALLEGATION # 2: The officer exhibited an inappropriate behavior and made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that when he pointed the officer's attention to the green light in the pedestrians' direction, the officer yelled at him and made inappropriate comments. The named member denied acting in the said manner and/or making the alleged comments. There were no other identifiable witnesses to this contact. The available evidence was insufficient to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/22/06 **DATE OF COMPLETION:** 06/29/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer failed to properly investigate.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he told the officer who responded on complainant's call for police assistance that another person exhibited violent behavior and threatened his life. According to the complainant, the officer left the scene without talking to that individual or any other witnesses. The named member told the OCC that the complainant informed him about a verbal altercation with another person but never said anything concerning "threats" and/or "violent behavior." According to the officer, while he spoke with the complainant, his partner interviewed the individual in question and other witnesses. The officer's partner corroborated this statement. In his OCC interview, the man who was involved in the verbal altercation with the complainant stated that he never used any threats and never touched the complainant during their argument. This witness could not recall whether any officer spoke with him at the scene. The available evidence was insufficient to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/23/06 **DATE OF COMPLETION:** 06/16/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer failed to take an Incident Report.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer could not recall the incident in question. No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer failed to take an OCC complaint.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer could not recall the incident in question. No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/23/06 **DATE OF COMPLETION:** 06/16/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officer failed to show his star number on request.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer could not recall the incident in question. No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer made inappropriate comments to the complainant.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer could not recall the incident in question. No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/23/06 **DATE OF COMPLETION:** 06/25/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer drove improperly.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer and his partner denied the allegation. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer misused his policy authority.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer and his partner denied the allegation. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/23/06 **DATE OF COMPLETION:** 06/25/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATIONS #3-4: The officers made threatening comments and behaved inappropriately toward the complainant.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer and his partner denied the allegation. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/07/06 **DATE OF COMPLETION:** 06/15/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officers harassed and threatened the complainant.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer denied harassing and threatening the complainant. The officer stated he advised the complainant he was going to inform other officers that the complainant was out of custody and would include the complainant in a photo lineup if the complainant matched the description of a suspect. Another officer and a male witness confirmed those statements. The officer further denied harassing the male witness, and stated he told the witness he was going to keep an eye on him with regard to a stolen license plate scam occurring at the witness' place of employment. A female witness stated that the officer appeared to be confrontational and "a little threatening" but stated she was not close enough to hear the conversation between the complainant and the officer. There were no other available witnesses. There was no additional evidence to further prove or disprove this allegation.

SUMMARY OF ALLEGATIONS #2-3: The officers failed to follow juvenile procedures.

CATEGORY OF CONDUCT: ND **FINDING:** PF **DEPT. ACTION:**

FINDINGS OF FACT: The officers acknowledged that, while transporting the juvenile complainant to the Youth Guidance Center, they briefly stopped at the scene of a shooting. The complainant stated he stayed inside the patrol car with one of the officers.

Currently, Department General Order 7.01 does not address an officer's responsibility to immediately transport a juvenile arrestee to YGC or any other appropriate facility or destination. Nor does the DGO instruct officers to avoid exposing juveniles to other crime scenes or other investigative activities unrelated to the case for which the juvenile has been detained or arrested. The Office of Citizen Complaints recommends revising DGO 7.1 to ensure that juvenile detainees and arrestees are immediately transported to the appropriate destination and that timeliness standards are established for parental notification, Miranda admonishment and phone access (required by W&I Code §627(b)).

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/07/06 **DATE OF COMPLETION:** 06/15/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATIONS #4-5: The officers behaved inappropriately.

CATEGORY OF CONDUCT: CRD **FINDING:** PF **DEPT. ACTION:**

FINDINGS OF FACT: The officers acknowledged that, while transporting the juvenile complainant to the Youth Guidance Center, they briefly stopped at the scene of a shooting. The complainant stated he stayed inside the patrol car with one of the officers.

Currently, Department General Order 7.01 does not address an officer's responsibility to immediately transport a juvenile arrestee to YGC or any other appropriate facility or destination. Nor does the DGO instruct officers to avoid exposing juveniles to other crime scenes or other investigative activities unrelated to the case for which the juvenile has been detained or arrested. The Office of Citizen Complaints recommends revising DGO 7.1 to ensure that juvenile detainees and arrestees are immediately transported to the appropriate destination and that timeliness standards are established for parental notification, Miranda admonishment and phone access (required by W&I Code §627(b)).

SUMMARY OF ALLEGATIONS #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/16/06 **DATE OF COMPLETION:** 06/16/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATIONS #1-2: The officers arrested the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The investigation established that the arrest was made pursuant to a private person's arrest. The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful and proper.

SUMMARY OF ALLEGATION #3: The officer failed to properly investigate.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer(s) failed to speak to a witness. The complainant could not specifically identify the officer(s) whom he asked to speak to the witness. The officers on the scene denied the allegation. The identity of the alleged officer(s) has not been established. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/16/06 **DATE OF COMPLETION:** 06/16/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION# 4: The officer failed to provide medical treatment.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant could not specifically identify the officer(s) whom he asked for medical assistance. The officers on the scene denied the allegation. The identity of the alleged officer(s) has not been established. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/20/06 **DATE OF COMPLETION:** 06/26/06 **PAGE# 1 of 2**

SUMMARY OF ALLEGATION #1-2: The officer(s) made inappropriate comments and displayed inappropriate behavior.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: Both officers denied the allegation, stating that they did not belittle the complainant by laughing at him during this incident. The named officers corroborated that they were both professional during the incident. There was insufficient evidence to either prove or disprove the allegation made in the complaint. There were no other witnesses.

SUMMARY OF ALLEGATION #3-4: The officers misused police authority.

CATEGORY OF CONDUCT: CRD **FINDING:** U **DEPT. ACTION:**

FINDINGS OF FACT: The named officers denied the allegation, stating they stopped their vehicle alongside the vehicle in the bus zone to take appropriate action and advise the driver to move the car. Both officers corroborated that they did not activate their overhead lights and stopped briefly to admonish the driver. Both officers corroborated the traffic was light in both directions. The named officers corroborated that in the process of advising the driver to move his car, the officer recognized the driver to be a longtime friend and exchanged greetings. There were no other witnesses. The evidence proved that the officers did not misuse their police authority when they contacted a stopped vehicle.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/20/06 **DATE OF COMPLETION:** 06/26/06 **PAGE# 2 of 2**

SUMMARY OF ALLEGATION #5-6: The officer(s) failed to take appropriate action.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named officers denied the allegation. There were no other witnesses. There was insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/24/06 **DATE OF COMPLETION:** 06/15/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer detained the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: The complainant failed to respond to contact attempts. The officers could not be identified.

SUMMARY OF ALLEGATION #2: The officer seized the complainant's property without cause.

CATEGORY OF CONDUCT: UA **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: The complainant failed to respond to contact attempts. The officers could not be identified.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/24/06 **DATE OF COMPLETION:** 06/15/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officer failed to return the complainant's property.

CATEGORY OF CONDUCT: ND **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: The complainant failed to respond to contact attempts. The officers could not be identified.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/29/06 **DATE OF COMPLETION:** 06/25/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer wrote an inaccurate report.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the manner in which the report is written the complainant is listed as the party at fault in the traffic collision. The officer stated he took both statements without bias and stated both vehicles had been moved prior to his arrival. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that she wrote a letter to the officer to make a correction to the original traffic collision report. The officer stated he never received a letter from the complainant. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/31/06 **DATE OF COMPLETION:** 06/30/06 **PAGE# 1 of 3**

SUMMARY OF ALLEGATION #1: The officer made an inappropriate comment to the complainant.

CATEGORY OF CONDUCT: CRD **FINDING:** IO-1 **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside OCC's jurisdiction. This allegation was referred to the San Francisco Police Department's Management Control Division.

SUMMARY OF ALLEGATION #2: The officer glanced at his gun when he saw the complainant

CATEGORY OF CONDUCT: CRD **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he saw the named officer walking in a public area. When the named officer saw the complainant, he turned his head and looked at his gun. The action complained of did not constitute a violation of Department regulations.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/31/06 **DATE OF COMPLETION:** 06/30/06 **PAGE# 2 of 3**

SUMMARY OF ALLEGATION #3: The officer would not allow the complainant to enter an office

CATEGORY OF CONDUCT: UA **FINDING:** IO-1 **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside OCC's jurisdiction. This allegation was referred to the San Francisco Police Department's Management Control Division.

SUMMARY OF ALLEGATION #4: The officer reported the complainant to the FBI

CATEGORY OF CONDUCT: UA **FINDING:** U **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he owns several retail businesses, and has been involved in a legal dispute with his landlord. The complainant stated he believes that the named officer works for his corporate landlord in an off-duty capacity. The complainant suspects that the named officer used his status as a police officer to report the complainant to the Federal Bureau of Investigation. An officer of the corporate landlord stated that the named officer works for the corporation in an off-duty capacity. This corporate officer stated that after receiving a report of a threat made by the complainant, he and his security director contacted the SFPD and the FBI, but that the named officer had no role in this matter. The evidence proved that the act alleged in the complaint did not occur.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/31/06 **DATE OF COMPLETION:** 06/30/06 **PAGE# 3 of 3**

SUMMARY OF ALLEGATION #5: The officer failed to process an Incident Report in a timely manner.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that in late 2005, he filed a police report at the police station concerning threats and harassment by employees of his landlord. The complainant stated that when he sought a copy of this report in March 2006, he learned that it had not been entered into the SFPD computer system. The officer in charge of the station where the complainant made the report stated that he received a letter concerning the incident report, and in response, he found a copy of the complainant's report in storage in the basement. The officer who completed the report stated that he took the information from the complainant, wrote the report that day, made a copy and placed the original in a box on the lieutenant's desk for reports that were to be taken to the Records Room. The officer stated that he placed the copy of the report on a clipboard in the lieutenant's office. The officer stated that in March 2006, he was given a letter that the complainant wrote to his captain, and in response, he searched for and located the copy of the incident report in storage in the basement. Department records indicate that the report number was issued to the officer who wrote the report on the day in December 2005 that the complainant made the report. The officer in charge of the SFPD Report Management Section stated that his records indicate that his unit received the report in March 2006. There is insufficient evidence to determine who was responsible for the failure to properly process the report, causing its delayed entry into the department's computer database, or to prove or disprove the allegation.

SUMMARY OF ALLEGATION # :

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/07/06 **DATE OF COMPLETION:** 06/09/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer made inappropriate comments and exhibited an inappropriate behavior.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: According to the complainant, the officer called a homeless man “a retard” and the complainant objected to the officer’s comment. The named member was questioned within two weeks from the actual event but he could not recall this police contact. The officer’s partner stated that he did not observe the incident and did not hear what was said at the scene. There were no other identifiable witnesses to the occurrence. The available evidence was insufficient to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/14/06 **DATE OF COMPLETION:** 06/19/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATIONS #1: The officer failed to properly process property.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he was detained and searched by police officers. Following the search, the complainant stated that \$30.00 was missing that he had on him before the search by the officers occurred. Officer Identification polls were sent to the two stations that are in the area of the incident. Each poll was returned by the Station Captain stating that none of their officers was involved in this contact. There was no CAD History found on this contact based on the street or district. The complainant provided descriptions of the involved officers, however the officers who generally fit the description provided by the complainant from each of the two area stations, did not have any contacts in this area per their Unit History on the date provided by the complainant. Based on the information provided by the complainant and department records, the officers involved in this incident were not identified. No witness information was provided by the complainant. Based on the information provided by the complainant and from department records, there is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer detained the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he was detained by police officers. Based on information provided by the complainant and department records, the officers were not identified. No witness information was provided by the complainant. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/14/06 **DATE OF COMPLETION:** 06/19/06 **PAGE# 2 of 2**

SUMMARY OF ALLEGATIONS #3: The officer pat searched the complainant without justification

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he was searched by officers. Based on information provided by the complainant and department records, the officers were not identified. No witness information was provided by the complainant. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/14/06 **DATE OF COMPLETION:** 06/30/06 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer made inappropriate comments

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named officer denied the allegation, stating that she never made inappropriate comments to the complainant. The officer said she always remained calm with the complainant throughout their contact. There were no other witnesses. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #2: The officer failed to properly investigate.

CATEGORY OF CONDUCT: ND **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The named officer denied the allegation, stating that she followed the proper investigative guidelines, as evidenced in the Chronological of Investigation report. The officer stated the investigation was submitted to the District Attorney's Office, and the assigned district attorney made the determination to discharge the case, due to lack of corroboration. The evidence proved that the acts which provided the basis for the allegation occurred; however, such acts were justified, lawful, and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/21/06 **DATE OF COMPLETION:** 06/28/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATIONS #1 and #2: The officers detained the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The evidence proved that the act, which provided the basis for the allegation, did occur; however such acts were justified.

SUMMARY OF ALLEGATION #3: The officer handcuffed the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The evidence proved that the act, which provided the basis for the allegation, did occur; however such acts were justified.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/21/06 **DATE OF COMPLETION:** 06/28/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #4: The officer used profanity.

CATEGORY OF CONDUCT: D **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer denied that allegation. The officer's partner denied hearing the named member use profanity. There were no other witnesses. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATIONS 5 and 6: The officers failed to take the required action.

CATEGORY OF CONDUCT: ND **FINDING:** S **DEPT. ACTION:**

FINDINGS OF FACT: The officers admitted that despite handcuffing the complainant they did not issue him a Certificate of Release. The Department General Orders require that a Certificate of Release be issued if a person is physically restrained during an investigative detention. The allegation against the officers is sustained.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/25/06 **DATE OF COMPLETION:** 06/14/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer failed to write an Incident Report.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant reported requesting police response and said that responding officers failed to take a report. A search of department records and a poll of officers in the appropriate district failed to disclose an incident at the time identified by the complainant or any officers who recalled responding to the address. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer failed to make a citizen's arrest.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant reported asking officers to make an arrest and said responding officers failed to do so. A search of department records and a poll of officers in the appropriate district failed to disclose an incident at the time identified by the complainant or any officers who recalled responding to the locations given by the complainant. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/25/06 **DATE OF COMPLETION:** 06/14/06 **PAGE# 2 of 2**

SUMMARY OF ALLEGATION #3: The officer failed to follow proper procedures for processing a domestic violence investigation.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: A search of department records and a poll of officers in the appropriate district failed to disclose an incident at the time or locations identified by the complainant. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: A search of Department Records and a poll of officers in the appropriate district failed to disclose an incident at the time or at the locations identified by the complainant. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/26/06 **DATE OF COMPLETION:** 06/19/06 **PAGE#1 of 2**

SUMMARY OF ALLEGATION #1: The officer drove improperly.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer denied the allegation. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer behaved inappropriately and made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer denied the allegation. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/26/06 **DATE OF COMPLETION:** 06/19/06 **PAGE#2 of 2**

SUMMARY OF ALLEGATION #3: The officer detained the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer denied the allegation. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer failed to provide his star number on request.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer denied the allegation. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/26/06 **DATE OF COMPLETION:** 06/29/06 **Page #1 of 1**

SUMMARY OF ALLEGATION #1: The officer made inappropriate comments and engaged in inappropriate behavior.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named officer denied the allegation. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/26/06 **DATE OF COMPLETION:** 06/15/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer arrested the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: The complainant failed to provide additional requested evidence in connection with her complaint.

UMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT 04/28/06 **DATE OF COMPLETION:** 06/25/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer sexually assaulted the complainant.

CATEGORY OF CONDUCT: UA **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: The complainant failed to provide information necessary to the investigation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/02/06 **DATE OF COMPLETION:** 06/13/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer's behavior and comments were inappropriate.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The identity of the officer was not determined by the complainant or through an officer identification poll. There is insufficient evidence to prove or disprove the allegation

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/20/05 **DATE OF COMPLETION:** 06/09/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1-3: The officer s failed to promptly respond to the scene.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officers failed to respond to her report of a stolen auto. The complainant said she had to recover her own car because officers did not respond. The officers stated that the complainant's call of a stolen auto report was coded as a "C" priority call and that they were responding to an "A" priority call and were also assigned a "special assignment" regarding the memorial service of an officer. The Officers Unit History corroborates that the officers were on other assignments of a higher priority. The Department records show that officers did respond to the scene where the complainant recovered her car and that the vehicle was no longer present. The complainant had initially called Auto Detail to respond, however, they do not go to the scene unless they have an assigned case.

SUMMARY OF ALLEGATION #4-5: The officers failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer refused to take property that was found in her stolen car and did not fingerprint the car. The officers stated that they do not have room to book miscellaneous items for cases that are not assigned for investigation and do not have a duty to call CSI. There is no specific rule that the officers have to take this property. Eventually the case was assigned and an inspector was sent to collect the items and fingerprint the car.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/20/05 **DATE OF COMPLETION:** 06/09/06 **PAGE # 2 of 2**

SUMMARY OF ALLEGATION #6-8: The officers failed to properly investigate.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officers did not have her stolen vehicle fingerprinted. The complainant also stated that when she called Auto Detail they were not interested in her recovery information and did not respond to the scene when she was recovering her own vehicle. The officers stated that stolen recovered auto's do not get processed unless they are involved in other crime due to staffing problems and a large number of stolen vehicles.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/08/06 **DATE OF COMPLETION:** 06/16/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer made inappropriate comments and behaved inappropriately.

CATEGORY OF CONDUCT: CRD **FINDING:** U **DEPT. ACTION:**

FINDINGS OF FACT: The complainant wrote in his OCC complaint that the officer threatened him with a knife, insulted him, harassed him, and assassinated his character. During the complainants interview he recanted that allegation raised in his written statement. The investigation showed that the alleged acts did not occur as described by the complainant in his interview.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/10/06 **DATE OF COMPLETION:** 06/14/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer used profanity.

CATEGORY OF CONDUCT: D **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer denied making a profane remark about the complainant. The officer's partner also denied that the officer made a profane remark about the complainant. A second officer at the scene also denied that the officer made a profane remark about the complainant. A witness at the scene stated that the officer spoke only with the second officer before leaving the scene, and that the named officer did not use any profanity in that conversation. There were no other available witnesses. There was no additional evidence to further prove or disprove this allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/02/06 **DATE OF COMPLETION:** 06/30/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATIONS #1: The officer searched the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated he was searched by the officer without justification. The officer and a witness officer stated they responded to a call of a burglary in progress. The officers stated that the complainant approached them in the middle of the street. Both officers stated the complainant is known to have owned weapons, was out of jail on bail and had many prior contacts with police officers including threats made to officers. Department records indicate the complainant has been arrested for illegal possession of firearms and weapons in the past. The officer stated that he searched the complainant for officer safety reasons based on the above referenced information. The evidence proved that the alleged act occurred, however said act was proper and justified.

SUMMARY OF ALLEGATION #2-3: The officers failed to investigate.

CATEGORY OF CONDUCT: ND **FINDING:** U **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that officers did not investigate his call for burglary in progress, or that his residence had been broken into. Both officers stated the matter was fully investigated including speaking to the complainant to determine the reason for his call. The officers also stated that photographs were taken of the alleged trespassing violation, they spoke to the alleged trespasser, they issued a citizens arrest per the complainant's request, an incident report was prepared and they had the alleged trespasser remove the ladder from the complainant's property. The complainant stated that officers did not investigate a burglary in his residence but the complainant also did not state that he requested the officers to investigate this matter. Both officers denied the complainant told them his residence had been broken into. The evidence proved that the alleged act did not occur to and that the officers did investigate this matter.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/12/06 **DATE OF COMPLETION:** 06/25/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer failed to properly supervise.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant complained of conduct that was ongoing for several months and was unable to identify a specific date or time. The supervisors and officers who are assigned to monitor traffic surrounding the Bay Bridge are not on permanent duty and change frequently. The supervisor(s) could not be identified without additional information from the complainant. There were no available witnesses. There was no additional evidence to further prove or disprove this allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/12/06 **DATE OF COMPLETION:** 06/25/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer harassed and threatened the complainant.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated he gave the officer a false name of a drug dealer in order to avoid being arrested. The officer contacted the complainant and requested that the complainant set up a deal with his contact. The complainant stated that he refused. The officer called the complainant two more times but the complainant refused to cooperate. The officer stated the complainant asked for his help to avoid being arrested and agreed to provide the officer the name of a narcotics dealer. The complainant told the officer that he would buy narcotics from this individual when directed to do so. There were no other available witnesses. There was no additional evidence to further prove or disprove this allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/01/05 **DATE OF COMPLETION:** 06/30/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1 : Neglect of Duty for failure to provide medical treatment.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant did not offer any evidence that the officers failed to provide medical treatment. The complainant did not provide any information regarding the existence of witnesses to this event. The complainant's jail medical records regarding this arrest were not found by jail personnel; however, records show that the complainant was not refused admission due to medical problems, nor transferred to San Francisco General Hospital. Also, San Francisco General Hospital records do not show medical treatment on this date or closely following. The officers denied failing to provide needed medical treatment in their written statements to the OCC. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #3 : Unnecessary Force for tight handcuffs.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant did not offer any evidence to support this allegation made to SFPD. The officers denied this allegation in their written statements to O.C.C. No witnesses were identified by the complainant, as the complainant did not respond to O.C.C. request for interview. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/01/05 **DATE OF COMPLETION:** 06/30/06 **PAGE# 2 of 2**

SUMMARY OF ALLEGATION #5 & #6: Conduct Reflecting Discredit for inappropriate behavior and comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant did not offer any evidence to support this allegation made to SFPD. The officers denied this allegation in their written statements to O.C.C. No witnesses were identified by the complainant, as the complainant did not respond to O.C.C. request for interview. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/15/06 **DATE OF COMPLETION:** 06/16/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: The complainant failed to provide additional requested evidence.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/15/06 **DATE OF COMPLETION:** 06/29/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer exhibited inappropriate behavior.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant alleged the officer conducted his traffic citation stop in a rude and sarcastic manner. The officer denied the allegation. No witnesses were identified. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer failed to promptly provide his name and star upon request.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant alleged the officer delayed in promptly providing his name and star identification and had to ask the officer several times for the correct spelling of his name. The officer denied the allegation. No witnesses were identified. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/17/06 **DATE OF COMPLETION:** 06/15/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer failed to promptly respond to the scene.

CATEGORY OF CONDUCT: ND **FINDING:** NF/W **DEPT. ACTION:**

FINDINGS OF FACT: The complainant withdrew her complaint.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/17/06 **DATE OF COMPLETION:** 06/15/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #: This complaint raises matters not rationally within OCC's jurisdiction.

CATEGORY OF CONDUCT: **FINDING:** IO2 **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters not rationally within OCC's jurisdiction

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/17/06 **DATE OF COMPLETION:** 06/29/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer exhibited inappropriate behavior.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant alleged the officer conducted his traffic citation stop in a rude, insulting and sarcastic manner. The officer denied the allegation. No witnesses were identified. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer detained complainant without justification or cause.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant alleged the officer conducted a traffic citation stop, thereby detaining her without justification or cause inasmuch as she had committed no traffic violation. The officer denied the allegation, stating the complainant rolled through a stop sign in violation of California Vehicle Code §22450(a). No witnesses were identified. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/17/06 **DATE OF COMPLETION:** 06/29/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officer issued a citation without cause.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant alleged the officer issued her a citation for having rolled through a stop sign, despite his admitting to her that he saw her brake lights lit. The officer denied the allegation, stating he observed the complainant's vehicle's wheels roll past a stop sign without coming to a full stop, in violation of California Vehicle Code §22450(a). No witnesses were identified. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/22/06 **DATE OF COMPLETION:** 06/15/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer failed to write an Incident Report.

CATEGORY OF CONDUCT: ND **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The elements of a crime as defined in California Penal Code were not met by the facts reported to the police officer. According to DGO 1.03, Patrol Officers are required to make reports on crimes, and here no crime had been committed.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/02/06 **DATE OF COMPLETION:** 06/30/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The complainant was arrested without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The evidence showed that the complainant was arrested on an outstanding warrant. The evidence showed that the alleged act occurred, however the act was lawful and proper.

SUMMARY OF ALLEGATION #2: The complainant's residence was searched without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The evidence showed that the complainant's residence and property were searched at the direction of a signed search warrant issued by a Superior Court Judge based on information provided in a probable cause statement that is supported by prior incident reports and information collected by other City and County of San Francisco agencies. The evidence showed that the alleged act occurred, however said act was lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/24/06 **DATE OF COMPLETION:** 06/14/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer detained the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: There was no police contact regarding the reported altercation or detention of the complainant. The complainant provided an invalid mailing address and numerous Office of Citizen Complaints telephone messages at the number provided were not answered. There is insufficient information to further the investigation.

SUMMARY OF ALLEGATION #2: The officer used unnecessary force during the contact.

CATEGORY OF CONDUCT: UF **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: There was no police contact regarding the reported altercation or detention of the complainant. The complainant provided an invalid mailing address and numerous Office of Citizen Complaints telephone messages at the number provided were not answered. There is insufficient information to further the investigation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/24/06 **DATE OF COMPLETION:** 06/14/06 **PAGE # 2 of 2**

SUMMARY OF ALLEGATION #3: The officer used profane language.

CATEGORY OF CONDUCT: D **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: There was no police contact regarding the reported altercation or detention of the complainant. The complainant provided an invalid mailing address and numerous Office of Citizen Complaints telephone messages at the number provided were not answered. There is insufficient information to further the investigation.

SUMMARY OF ALLEGATION #4: The officer used inappropriate behavior and made threatening comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: There was no police contact regarding the reported altercation or detention of the complainant. The complainant provided an invalid mailing address and numerous Office of Citizen Complaints telephone messages at the number provided were not answered. There is insufficient information to further the investigation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/24/06 **DATE OF COMPLETION:** 06/29/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer detained the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The evidence proved the acts which provide the basis for the allegation did occur, however such acts were justified and proper.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/31/06 **DATE OF COMPLETION:** 06/15/06 **PAGE #1** of 1

SUMMARY OF ALLEGATION #1: The complainant raises matters outside OCC's jurisdiction.

CATEGORY OF CONDUCT: **FINDING: I.O.1.** **DEPT. ACTION:**

FINDINGS OF FACT: This allegation raises matters outside OCC's jurisdiction. This complaint has been referred to:

Department of Parking and Traffic
Citation Division
1380 Howard Street, Suite #100
San Francisco, CA 94102

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/31/06 **DATE OF COMPLETION:** 06/15/06 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: This complaint raises matters outside of OCC's jurisdiction.

CATEGORY OF CONDUCT: IO-1 **FINDING:** IO-1 **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside OCC's jurisdiction.
This complaint has been referred to:

Management Control Department
850 Bryant Street, Room #545
San Francisco, CA 94103

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/24/05 **DATE OF COMPLETION:** 06/29/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATIONS #1-2: The officers failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officers did not announce themselves as police officers when they knocked on her door. The officers stated that, when they knocked on the complainant's door, they identified themselves as San Francisco police officers. There were no other available witnesses. There was no additional evidence to further prove or disprove this allegation.

SUMMARY OF ALLEGATION #3-4: The officer entered the complainant's residence without justification.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that hotel policy dictated that guests were required to leave before midnight. She acknowledged that she had a guest in her room after midnight. The officer stated that he entered the complainant's hotel room to remove a trespasser at the hotel manager's request. The officer stated that the trespasser refused to leave. The officer's partner stated that hotel manager asked the officers to remove an unwanted guest. The officer's partner stated that the officer entered the complainant's hotel room when the trespasser refused to leave. There were no other available witnesses. There was no additional evidence to further prove or disprove this allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/24/05 **DATE OF COMPLETION:** 06/29/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #5: The officer drew his firearm without justification.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer drew his gun and “said something about [the trespasser’s] hands being in his pockets.” The officer stated that the hotel manager warned him that a trespasser in the complainant’s room was known to have weapons. The officer stated he drew his weapon for his own safety when the trespasser refused an order to remove his hands from his pockets. The officer’s partner stated that the hotel manager informed him that the trespasser was hostile and known to possess weapons. There were no other available witnesses. There was no additional evidence to further prove or disprove this allegation.

SUMMARY OF ALLEGATION #6: The officer used unnecessary force during the incident.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant alleged that, as she was trying to walk underneath the officer’s gun to leave the room, the officer hit her jaw with his gun. The complainant had no visible injuries. The officer and the officer’s partner both denied that the complainant was struck with a gun. Both officers stated that no force or physical control was used during this incident. There were no other available witnesses. There was no additional evidence to further prove or disprove this allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/06/06 **DATE OF COMPLETION:** 06/25/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #: This complaint raises matters not within OCC's jurisdiction.

CATEGORY OF CONDUCT: **FINDING:** IO1 **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters not within OCC's jurisdiction. It was referred for further investigation to:

Mr. Thomas Tom
Transit Police & Security Department
San Francisco Municipal Transportation Agency
telephone – 415/554-7139
fax - 415/554-7117

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/27/05 **DATE OF COMPLETION:** 06/30/06 **PAGE#** 1 of 5

SUMMARY OF ALLEGATIONS #1-8: The officers displayed their service weapon without justification.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant and co-complainant stated that officers had weapons drawn when they came to her home and told the occupants to step out of the house. The officers stated that they were looking for a murder suspect that was seen entering the complainant's home. The officers said their weapons were drawn when ordering everyone outside the house for officer safety. Department Orders permits officers to draw their weapon until danger is eliminated the weapon must then be holstered.

SUMMARY OF ALLEGATIONS #9-10: The officers issued an invalid order.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant and co-complainant stated the officers ordered them to exit their residence without explanation or justification. The officers stated that they were looking for a murder suspect that was seen entering the residence. The officers said that they ordered the occupants outside for officer safety while a dog unit arrived to search the residence for the wanted suspect.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/27/05 **DATE OF COMPLETION:** 06/30/06 **PAGE# 2 of 5**

SUMMARY OF ALLEGATIONS #11: The officer exhibited inappropriate behavior and inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer told residents to “shut-up” and would provide no explanation for the detention saying it was none of their business. The officer denied the allegation. One witness stated she did not hear the conversations between the police and complainants while she was present. Another witness stated that after 45 minutes they were told the nature of their detention. No other witnesses came forward

SUMMARY OF ALLEGATIONS #12-13: The officer detained the residents without justification.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant questioned the propriety of why her entire household was detained regarding a crime occurring in the neighborhood. The officers stated that they were looking for a murder suspect that was seen entering the complainant’s home. Per Department Orders the officer had the authority to detain the residents for further investigation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/27/05 **DATE OF COMPLETION:** 06/30/06 **PAGE#** 3 of 5

SUMMARY OF ALLEGATIONS #14: The officer handcuffed the residents without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that two males were handcuffed during the detention despite significant police presence and the suspect being sought was a female. An officer on scene stated the suspect was a male therefore they handcuffed the males for officer safety. The complainant stated that her female niece was identified as a suspect during the cold show. The incident report documents that the suspects involved were a female and a male. Per Department Orders officers had the authority to handcuff detainees during an investigative detention.

SUMMARY OF ALLEGATIONS #15: The officers searched the residents without justification.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that she was searched without cause. The officer stated that the detainees were searched for officer safety. Officers are permitted to pat search for weapons consistent with existing and applicable law.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/27/05 **DATE OF COMPLETION:** 06/30/06 **PAGE#** 4 of 5

SUMMARY OF ALLEGATION # 16-17: The officers entered the complainant's residence without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officers entered without the benefit of a warrant. The officers stated that an exigency existed that required entry into the residence due information from a witness that a murder suspect was seen entering the residence with a weapon. The officers entered the residence and ordered all occupants out while a homicide investigation was conducted.

SUMMARY OF ALLEGATION # 18-19: The officers searched the complainant's residence without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant said the officers searched her residence without a warrant or consent. The officer stated he responded with a dog to conduct a suspect search in the residence. The officers stated that an exigency existed necessitating entry into the complainant's residence for this homicide investigation and an arrest was made.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/27/05 **DATE OF COMPLETION:** 06/30/06 **PAGE#** 5 of 5

SUMMARY OF ALLEGATION # 20-21: The officers failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officers failed to provide blankets to keep detainees warm and did not allow detainees to stand/stretch legs despite the two-hour detention. The officers denied the allegation. The supervising officer recalled making arrangements to have a relative pickup a baby that was being held by one of the detainees and said that the baby was warmly wrapped in a blanket. Several officers recalled that detainees were allowed to retrieve several blankets and to use the bathroom. One witness stated that they were told that once inspectors arrived that they could receive some respite however, they were not approached until one hour later. Another witness stated that it was a cold morning and she recalled bringing some jackets for the complainants. Other witnesses did not come forward. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION # 22: The officer failed to issue a certificate of release

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant said she and one witness were not given a certificate of release. One officer said that numerous officers were responsible for the detainees and based on his knowledge all of the detainees were issued Certificates of Release, but he does not recall who completed the release forms. Another officer said he was not on scene at the time that the detainees were released and does not know who issued the release forms. The supervising officer stated that different officers were involved and had to perform many functions. The investigation established that there were numerous officers involved and that different officers issued Certificates of Release. The complainant stated her niece was arrested and they were asked to go to Mission Station voluntarily to provide statements. The complainant said that everyone went except she and one witness. SFPD Legal was unable to find copies of these two Certificates of Release. It is unknown which officers were responsible for issuing the release forms since many officers were involved in assisting with these detainees and don't recall who issued the release forms because it was a different officer for every person. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/13/06 **DATE OF COMPLETION:** 06/29/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer made threatening comments and behaved inappropriately.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer denied the allegation and said he did not gather any witness contact information. There were no identified witnesses who could verify or deny the allegation. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/14/06 **DATE OF COMPLETION:** 06/29/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: This complaint raises matters outside OCC's jurisdiction.

CATEGORY OF CONDUCT: N/A **FINDING:** IO1. **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside OCC's jurisdiction. This complaint has been referred to:

Officer In Charge
Management Control Division
San Francisco Police Department
850 Bryant Street Rm. 545
San Francisco, CA 94103

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/14/06 **DATE OF COMPLETION:** 06/29/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: This officer cited the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer cited him for not having a photo identification and for CVC2400a driving too slow. The complainant admitted that he was in a stopped vehicle in the roadway and that he was braking his vehicle to go under the 20 MPH speed limit. The complainant also admitted that he did not have a photo identification card on him as required by SFO and by the San Francisco Taxicab Rules and Regulations Rule B.5. The evidence proved that the act which provided the basis for the allegation did occur, however said act was proper, justified and lawful.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/19/06 **DATE OF COMPLETION:** 06/23/06 **PAGE #1 of 1**

SUMMARY OF ALLEGATION #1: This complaint raises matters outside OCC's jurisdiction.

CATEGORY OF CONDUCT: N/A **FINDING:** IO1 **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside OCC's jurisdiction. This complaint has been referred to:

San Francisco Police Department
Management Control Division
850 Bryant Street #100
San Francisco, CA 94107

SUMMARY OF ALLEGATION:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/20/06 **DATE OF COMPLETION:** 06/25/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer cited the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated he saw two police officers “messaging with” a car across the street. The complainant stated that he crossed the street outside of a marked crosswalk to observe the officers. The complainant was cited for crossing the street outside of a marked crosswalk. The officer’s conduct was proper.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/21/06 **DATE OF COMPLETION:** 06/26/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: This complaint raises matters outside OCC's jurisdiction.

CATEGORY OF CONDUCT: **FINDING:** IO-1. **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside OCC's jurisdiction.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT:06/28/06 **DATE OF COMPLETION:** 06/30/06 **PAGE #** 1 of 1

SUMMARY OF ALLEGATION #1: This allegation raises matters not rationally within OCC's jurisdiction.

CATEGORY OF CONDUCT: **FINDING:** I.O.2. **DEPT. ACTION:**

FINDINGS OF FACT: The complainant was unable to rationally describe actions within OCC's jurisdiction.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/30/05 **DATE OF COMPLETION:** 06/30/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATIONS #1, #2: The officers harassed the complainant.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named officers denied the allegations. No witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATIONS #3, #4: The officers made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named and five witness officers denied the allegations. Two witnesses said they did not see the arrest. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/30/05 **DATE OF COMPLETION:** 06/30/06 **PAGE#** 2 **of** 2

SUMMARY OF ALLEGATIONS #5, #6: The officers arrested the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named officers denied the allegations. Two witnesses stated they did not see the arrest. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATIONS #7, #8: The officers used unnecessary force.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named and five witness officers denied the allegations. Two witnesses said they did not see the arrest. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/01/05 **DATE OF COMPLETION:** 06/25/06 **PAGE#** 1 of 4

SUMMARY OF ALLEGATION #1: The officer searched a residence without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that his residence was searched in his absence and without his consent. The officer stated that an occupant of the house consented to the search but that the complainant had, as well, a warrantless search condition that permitted the search of his residence at any time. The investigation established that the complainant had a warrantless search condition at the time.

SUMMARY OF ALLEGATION #2: The officer threatened the complainant.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer threatened him. The officer denied the allegation. No witnesses were located. There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/01/05 **DATE OF COMPLETION:** 06/25/06 **PAGE#** 2 of 4

SUMMARY OF ALLEGATION #3: The officer behaved inappropriately and made appropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer denied the behaviors and comments. There were no witnesses located. There was insufficient evidence to prove or disprove the allegations.

SUMMARY OF ALLEGATION #4: The officer detained the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The evidence supported the officer's contention that a vehicle under the control of the complainant had been identified as one used in a strongarm robbery, and that a search of the vehicle had turned up evidence linking it to a series of robberies under investigation. The complainant was detained for the purpose of questioning him about the possible identity of persons who used the vehicle during the robberies. The officer was informed that the complainant gave responding officers a false name and a story that did not match the evidence, on the day of the detention. Office of Citizen Complaints investigation established that the officer had reasonable suspicion to detain the complainant. The evidence proved that the act that provided the basis for the allegation occurred. However, the act was justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/01/05 **DATE OF COMPLETION:** 06/25/06 **PAGE#** 3 of 4

SUMMARY OF ALLEGATION #5: The officer used unnecessary force during the detention.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer who handcuffed him also unnecessarily twisted his arm. The officer who acknowledged handcuffing the complainant denied the allegation. No witnesses were located. There was insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #6: The officer failed to document a detention.

CATEGORY OF CONDUCT: ND **FINDING:** S **DEPT. ACTION:**

FINDINGS OF FACT: The officer acknowledged that he directed that the complainant be moved from one location to another so that the officer, who was investigating a series of crimes, could interview the complainant about his possible involvement. The officer stated that he drove the complainant to a location of his choosing and verbally released him, because the officer had no 849b Certificate of Release forms with him. The officer stated that he went back to the station, filled out an 849b form and placed it in his investigation file. The Department General Orders require that an officer provide a detainee, under these circumstances, with the original of the 849b form and that a copy be sent to Department records for filing. Since the officer admittedly failed to take these required steps, the allegation is sustained.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/01/05 **DATE OF COMPLETION:** 06/25/06 **PAGE # 4 of 4**

SUMMARY OF ALLEGATION #7: The officer seized property without justification.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that cars belonging to his wife and to himself were towed and impounded without cause, at the direction of the named officer. The officer stated that the car belonging to the complainant's wife, which he was driving when it was seized, had been identified by plate number as a car used in a strongarm robbery. The tow was ordered and a hold put on the vehicle, so that it could be searched for evidence. The officer stated that the complainant's car was towed at the direction of crime scene officers because the complainant stated he had been the victim of a drive-by shooting while in the vehicle. The investigation supported the officer's explanation for the seizure of the vehicles. There was justification in both cases for the cars to be towed and impounded.

SUMMARY OF ALLEGATION #8: The officer failed to document the seizure of property.

CATEGORY OF CONDUCT: ND **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The investigation established that incident reports were filed in the case of each vehicle towed, documenting the circumstances of each seizure. The named officer was not at the scene of either of the seizures and had no personal responsibility for providing the complainant with paperwork at the scene. The evidence proved that the act was justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/14/05 **DATE OF COMPLETION:** 06/28/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer exhibited inappropriate behavior and made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: The officer is no longer with the department.

SUMMARY OF ALLEGATION #2: The officer exhibited inappropriate behavior and made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officers were rude and made inappropriate comments. One of the officers that is still a member of the SFPD denied having direct contact with the complainant. Witnesses have failed to come forward. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/14/05 **DATE OF COMPLETION:** 06/28/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officer detained the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: The officer is no longer with the department.

SUMMARY OF ALLEGATION #4: The officer detained the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer asked for her identification and conducted a record query. The officer denied the allegation. Witnesses have failed to come forward. There are no other witnesses. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/25/05 **DATE OF COMPLETION:** 06/09/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant gave inconsistent statements regarding the ethnicity of the officers who had a contact with him. Four officers involved in this response denied any contact with the complainant previous to his arrest. An identified witness failed to come forward during the investigation despite several contact attempts from Office of Citizen Complaints. There is insufficient evidence to either prove or disprove the allegation against a particular set of officers.

SUMMARY OF ALLEGATION # :

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/29/05 **DATE OF COMPLETION:** 06/26/06 **PAGE#** 1 of 4

SUMMARY OF ALLEGATION #1: Unwarranted Action for arrest without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The officer had probable cause for arrest and cite for failure to obey lawful order or a police officer, and for resisting arrest. Complainant admitted activity which created probable cause to arrest and cite for the charges she was arrested and cited for. The evidence proved that the act that provided the basis for the allegation occurred. However said act was proper and justified.

SUMMARY OF ALLEGATION #2: Unwarranted Action for arrest without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: This second officer was responding to a broadcast by the first officer that there was probable cause to arrest the complainant and he arrested her. The evidence proved that the alleged act occurred and that the officer's actions were proper and lawful.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/29/05 **DATE OF COMPLETION:** 06/26/06 **PAGE#** 2 of 4

SUMMARY OF ALLEGATION #3: Unnecessary Force for force used during arrest.

CATEGORY OF CONDUCT: UF **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The officer used pepper spray to try to subdue the complainant's resistance, and this was a proper use of this force. The evidence proved that the act that provided the basis for the allegation occurred. However said act was proper and justified.

SUMMARY OF ALLEGATION #4: Unnecessary Force for force used during arrest.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: There were no witnesses. The officer denied this allegation. There is insufficient evidence to prove or disprove this allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/29/05 **DATE OF COMPLETION:** 06/26/06 **PAGE#** 3 of 4

SUMMARY OF ALLEGATION #5: Conduct Reflecting Discredit for misrepresenting the truth.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: There were no witnesses. The officer denied this allegation. There is insufficient evidence to prove or disprove this allegation.

SUMMARY OF ALLEGATION #6 and #7: Conduct Reflecting Discredit for inappropriate comments and behavior.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: There were no witnesses. The officers denied this allegation. There is insufficient evidence to prove or disprove this allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/29/05 **DATE OF COMPLETION:** 06/26/06 **PAGE#** 4 of 4

SUMMARY OF ALLEGATION #8: Neglect of Duty for failure to follow proper procedures regarding the use of pepper spray.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant admitted she did not follow the officer's lawful directions. She admitted she physically resisted the officer's lawful attempts to arrest and cite her for not following the lawful directions. The officer stated she used the spray because the complainant was resisting a lawful arrest, which is an allowable use, pursuant to department General Orders. The reason given for the use of the spray is incorrectly stated in the Incident Report by the officer; however, the officer stated a correct reason for use of the spray in a statement to the Office of Citizen Complaints. The incorrect statement of reason in the Incident Report is the reason the allegation is not classified as proper conduct and instead is classified as not sustained, because it is not clear from the interview statement if the officer understood the correct procedure for use of pepper spray as outlined in the Department's orders at the time it was used, even though she had a right to use it given the circumstances. The complainant ran from the scene, and got away from the officer. Thus, the officer did not have a chance to follow further procedures regarding pepper spray. However, evidence showed that proper procedure was followed by other officers. There is insufficient evidence to prove or disprove this allegation.

SUMMARY OF ALLEGATION #9 and #10: Neglect of Duty for failure to follow proper procedures regarding the use of pepper spray.

CATEGORY OF CONDUCT: ND **FINDING:** U **DEPT. ACTION:**

FINDINGS OF FACT: The officers stated that they called an ambulance and that the complainant was taken to the bathroom by a female officer as soon as practicable to wash her face. Department records show that an ambulance was called to the station for the complainant. The complainant did not respond to Office of Citizen Complaint's request for a medical release, so there is no evidence regarding the paramedics' evaluation of her status. Neither the Department Booking and Detention Manual nor the Department General Orders specify which officer needs to perform the functions of rinsing the subject sprayed. The evidence proved that the alleged act did not occur and officers followed department procedure.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/03/05 **DATE OF COMPLETION:** 06/02/06 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer threatened a civilian.

CATEGORY OF CONDUCT: UA **FINDING:** S **DEPT. ACTION:**

FINDINGS OF FACT: The preponderance of the evidence established that the officer threatened a civilian outside a courtroom.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/05/05 **DATE OF COMPLETION:** 06/15/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer selectively enforced the law.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer selectively enforced and issued a citation to him and not others engaged in similar conduct in the same area. The complainant stated the officer targeted him exclusively. The complainant admitted he did not possess a permit to sell in public. The officer denied the allegation. There was insufficient evidence to either prove, or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/05/05 **DATE OF COMPLETION:** 06/26/06 **PAGE#** 1 of 3

SUMMARY OF ALLEGATION #1: The complainant alleged that the officer issued a citation without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant admitted doing the action for which she was cited. The evidence proved that the act that provided the basis for the allegation occurred, however said act was proper and justified.

SUMMARY OF ALLEGATION #2: The complainant alleged that the officer used unnecessary force during the arrest and citation process.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant described the force used as dragging her and yanking her by the arm. She stated she was not trying to get away. The complainant's witness did not corroborate this description of force, saying that the officer grasped her by the arm; he also stated did not know why the officer grasped her in this manner. The witness officer stated the officer grasped the complainant by the arm as she was trying to get away before being cited. The officer stated that he grasped the complainant by the arm as she was trying to get away before being cited. Because of the wide disparity of descriptions of the force used, and why it was used, there is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/05/05 **DATE OF COMPLETION:** 06/26/06 **PAGE#** 2 of 3

SUMMARY OF ALLEGATION #3: The complainant alleged that the officer behaved inappropriately and made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer insulted her several times. One of the complainant's witnesses stated he could not hear what the officer said. The other witness did not respond to requests for an interview for this case. The officer's partner stated that the officer acted professionally and courteously and did not insult the complainant. The officer denied this allegation. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The complainant alleged that the officer cited her for selective enforcement reasons.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer admitted that he cited her selectively for her behavior. One of the complainant's witnesses stated he could not hear what the officer said. The other witness did not respond to requests for an interview for this case. The officer's partner stated that he did not cite the complainant selectively. The officer denied this allegation. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/05/05 **DATE OF COMPLETION:** 06/26/06 **PAGE#** 3 of 3

SUMMARY OF ALLEGATION #5: The complainant alleges the officer threatened her with citations.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer said she could be cited for several charges, including one for disrespecting an officer. One of the complainant's witnesses stated he could not hear what the officer said. The other witness did not respond to requests for an interview for this case. The officer's partner stated that the officer did not threaten the complainant. The officer denied this allegation. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/15/05 **DATE OF COMPLETION:** 06/29/06 **PAGE#** 1 of 5

SUMMARY OF ALLEGATION #1: The officer made inappropriate comments and behaved in a threatening manner.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named officer denied the allegation, stating he did not threaten the complainant or make any derogatory remarks towards her. The witness officers and security guards corroborated that the named officer behaved in an appropriate manner during his contact with the complainant. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #2: The officer used profanity towards the complainant.

CATEGORY OF CONDUCT: D **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named officer denied the allegation, stating he did not make any profane or inappropriate comments to the complainant. The witness officers and security guards corroborated that the named officer behaved in an appropriate manner during his contact with the complainant. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/15/05 **DATE OF COMPLETION:** 06/29/06 **PAGE# 2 of 5**

SUMMARY OF ALLEGATION #3: The officer made a sexually derogatory comment to the complainant.

CATEGORY OF CONDUCT: SS **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named office denied the allegation, stating he did not make any comments to the complainant regarding her alternative lifestyle. The named officer stated he had no knowledge of the complainant's alternative lifestyle. The witness officers and security guards corroborated that the named officer behaved in an appropriate manner during his contact with the complainant. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #4: The officer used unnecessary force during the arrest.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named officer denied the allegation, stating he never used any force on the complainant. The named officer stated he held the complainant's arm and guided her over to he patrol car. The officer acknowledged that the only force used during the contact, was from the complainant, who intentionally kicked the named officer on his thigh. Numerous witnesses gave conflicting statements. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/15/05 **DATE OF COMPLETION:** 06/29/06 **PAGE#** 3 of 5

SUMMARY OF ALLEGATION #5-6: The officers failed to take required action during the investigation.

CATEGORY OF CONDUCT: ND **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The named officers denied the allegation, stating they responded, detained, and handled the investigation properly. The officers denied observing any inappropriate behavior by any officer towards the complainant. One security guard witness corroborated that he did not hear or observe any officer being verbally or physically aggressive towards the complainant. The other director of security witness said the officers were very professional and treated the involved parties respectfully. The evidence proved that the acts, which provided the basis for the allegations, occurred; however, such acts were justified, lawful, and proper.

SUMMARY OF ALLEGATION #7: The officer failed to provide medical attention.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named officer acknowledged that he did not offer medical assistance, as the complainant was not injured and did not complain of pain. The partner officer stated medical attention was offered to the victim and the parties involved. The assisting officer corroborated the named officer's account, by stating the complainant was not injured, did not complain of pain, and therefore, he did not inquire if medical assistance was needed. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/15/05 **DATE OF COMPLETION:** 06/29/06 **PAGE#** 4 of 5

SUMMARY OF ALLEGATION #8: The officer detained the complainant at gunpoint without justification.

CATEGORY OF CONDUCT: UA **FINDING:** U **DEPT. ACTION:**

FINDINGS OF FACT: The officer denied the allegation, stating he never drew his weapon and did not tell the complainant to stop because his weapon was drawn. The security guard witness and the assisting officer corroborated that the named officer never drew his weapon. The complainant corroborated that she did not observe the named officer with his weapon drawn on her. The evidence proved that the acts alleged in the complaint did not occur or that the named member was not involved in the acts alleged.

SUMMARY OF OCC ADDED ALLEGATION #1: The officer failed to report the use of force to an appropriate supervisor.

CATEGORY OF CONDUCT: ND **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The named officer denied the allegation, stating he did not report the use of force, because force was not used on the complainant. The reporting officer corroborated that the use of force was not documented for the same reason. The witness officers and the security guard witnesses corroborated that no force as used on the complainant. The sergeant on duty performed an administrative investigation and concluded that the complainant's injuries did not corroborate her claim of force used during the arrest. The evidence proved that the acts, which provided the basis for the allegations, occurred; however, such acts were justified, lawful, and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/15/05 **DATE OF COMPLETION:** 06/29/06 **PAGE#** 5 of 5

SUMMARY OF OCC ADDED ALLEGATION #2: The officer failed to report the use of force in the Incident Report.

CATEGORY OF CONDUCT: ND **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The officer denied the allegation, stating the complainant was not injured during the incident. The named officer stated none of the officer used force on the complainant and the complainant did not claim any injuries while at the scene. The witness officer and the security guard witnesses corroborated that no force was used on the complainant. The sergeant on duty performed an administrative investigation and concluded that the complainant's injuries did not corroborate her claim of force used during the arrest. The evidence proved that the acts, which provided the basis for the allegations, occurred; however, such acts were justified, lawful, and proper.

SUMMARY OF OCC ADDED ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/3/05 **DATE OF COMPLETION:** 06/26/06 **PAGE#** 1 of 3

SUMMARY OF ALLEGATION #1: The officers arrested the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he was forcefully ejected from a club. When two police officers arrived, club personnel said that the complainant had tried to start a fight. The officers then arrested the complainant. The complainant's description of the involved officers differed significantly from their actual appearance, and his recollection of several key events was contradicted by other sources. An employee of the club stated that the complainant threatened other patrons and attempted to strike the club's manager in the face. When this club employee asked the complainant to leave, the complainant struck him in the face. The employee then handcuffed the complainant, took him outside and turned him over to the two officers. The officers stated that a club employee flagged them down and told them that the complainant had been verbally and physically aggressive. The complainant was intoxicated and was yelling and physically resisting. The named officer stated that he arrested the complainant for being drunk in public. Officers who transported the complainant to the jail, and who interacted with the complainant at the jail confirmed that he was intoxicated. The evidence established that the action complained of was proper.

SUMMARY OF ALLEGATION #2: The officers used unnecessary force on the complainant.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he was forcefully ejected from a club. When two police officers arrived, club personnel said that the complainant had tried to start a fight. The officers then arrested the complainant. The complainant's description of the involved officers differed significantly from their actual appearance, and his recollection of several key events was contradicted by other sources. The complainant failed to respond for multiple requests for a follow-up interview to resolve these contradictions. An employee of the club stated that the complainant threatened other patrons and attempted to strike the club's manager in the face. When this club employee asked the complainant to leave, the complainant struck him in the face. The employee then handcuffed the complainant, took him outside and turned him over to the two officers. The officers stated that a club employee flagged them down and told them that the complainant had been verbally and physically aggressive. The complainant was intoxicated and was yelling and physically resisting. The officers denied using any force on the complainant, as did officers who transported the complainant to the jail. The complainant's description of the officer who used force was not accurate enough to allow Office of Citizen Complaints to identify the involved officer. There is insufficient evidence to properly identify the officer involved, or to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/3/05 **DATE OF COMPLETION:** 06/26/06 **PAGE#** 2 of 3

SUMMARY OF ALLEGATION #3: The officer made rude comments to the complainant.

CATEGORY OF CONDUCT: D **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he was forcefully ejected from a club. When two police officers arrived, club personnel said that the complainant had tried to start a fight. When the complainant attempted to explain his account of the incident, the officer made rude comments. The complainant's description of the involved officers differed significantly from their actual appearance, and his recollection of several key events was contradicted by other sources. The complainant failed to respond for multiple requests for a follow-up interview to resolve these contradictions. The officers who were involved in the complainant's arrest denied making rude comments. There is insufficient evidence to properly identify the officer involved, or to prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that after he was ejected from a club and arrested, he was handcuffed too tightly, and that the officer failed to loosen his handcuffs when asked to do so. The named officer and a witness officer stated that when the complainant complained about his handcuffs being tight, the officer checked them and determined that they were properly applied. They stated that the complainant was intoxicated and was verbally and physically aggressive. Photographs taken of the complainant's wrists at the police station depict impressions left by a handcuff. Multiple individuals who had contact with the complainant, including a club employee and officers who transported him to the jail confirmed that the complainant was intoxicated. There is insufficient evidence to determine whether the marks on the complainant's wrists were due to the handcuffs being too tight, or to the complainant moving about in an aggressive manner while intoxicated. Therefore, there is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/3/05 **DATE OF COMPLETION:** 06/26/06 **PAGE#** 3 of 3

SUMMARY OF ALLEGATION #5: The officer inappropriately seized the complainant's property.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that after he was ejected from a club and arrested, and that when he was released from jail the following morning, his money was missing. The complainant's description of the involved officers differed significantly from their actual appearance, and his recollection of several key events was contradicted by other sources. The complainant failed to respond for multiple requests for a follow-up interview to resolve these contradictions. The officers who dealt with the complainant at the scene of his arrest, during transport and at the jail all stated that he was intoxicated. One of the transport officers stated that he showed the complainant that his wallet contained his money prior to transporting him. The other officers who had contact with the complainant denied seizing his property. There is insufficient evidence to identify an officer responsible for the seizure of the complainant's property or to prove or disprove the allegation.

SUMMARY OF OCC ADDED ALLEGATION #1: The officer failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The investigation established that the complainant was arrested for being drunk in public. Department regulations mandate that a Public Intoxication Report be prepared when an individual is arrested for being drunk in public. The named officer stated that he prepared and approved a Public Intoxication Report, which he placed on the booking counter. No Public Intoxication Report could be located. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/12/05 **DATE OF COMPLETION:** 06/26/06 **PAGE# 1 of 4**

SUMMARY OF ALLEGATION #1: The officer issued an invalid order.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer improperly ordered him to move his boat while he was engaged in legal and legitimate activity. The named officer stated that he might have ordered the complainant to move in order to avoid a collision. Two witness officers said they did not recall the incident. Two other witnesses gave conflicting accounts of central facts of the incident and one other witness did not see the incident. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer detained the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The named officer stated that he was ordered by a superior officer to detain the complainant. The superior officer confirmed giving the order to the named officer. The evidence proved that the act that provided the basis of the allegation occurred, however, such action was justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/12/05 **DATE OF COMPLETION:** 06/26/06 **PAGE# 2 of 4**

SUMMARY OF ALLEGATION #3: The officer arrested the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer issued a citation for violations he did not engage in. The named officer denied the allegation. One witness officer stated that he saw one of the violations observed by the named officer. Two other witness officers said they did not see the incidents that led to the citation. Two other witnesses gave conflicting accounts of central facts of the incident and one other witness did not see the incident. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer operated a vehicle in an unsafe manner.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named officer and two witness officers denied the allegation. Another witness officer was not on the same boat and did not observe the contact. Three other witnesses gave conflicting accounts of central facts surrounding the incidents. Another witness said he heard about, but did not see the interaction between the police boat and the complainant. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/12/05 **DATE OF COMPLETION:**06/26/06 **PAGE#** 3 of 4

SUMMARY OF ALLEGATIONS #5: The officer failed to take required action by properly hailing the complainant's boat.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named officer denied the allegation. Three witness officers stated they did not know whether the named officer hailed the complainant. Another witness said he conveyed the named officer's transmission to the complainant after the named officer failed in his attempt to hail the complainant. Another witness said he thought the complainant was not hailed, but acknowledged he was not in a position to hear transmissions. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #6: The officer failed to state the reason for detaining the complainant.

CATEGORY OF CONDUCT: ND **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The named officer said he did not provide the reason for the detention immediately, as he was not told the precise reason for the detention by the officer who ordered it. The officer who ordered the detention confirmed the account of the named officer. There were no other witnesses who came forward. The evidence proved that the act that provided the basis of the allegation occurred, however, such action was justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/12/05 **DATE OF COMPLETION:** 06/26/06 **PAGE#** 4 **of** 4

SUMMARY OF ALLEGATION #7: The officer used profanity.

CATEGORY OF CONDUCT: D **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant alleged that someone told him the named officer used profanity. The named officer denied the allegation. Two witness officers who were with the named officer said they did not hear the named officer use profanity. One witness stated he thought the named officer used profanity. Another witness who heard the named officer yell at the complainant did not hear any profanity. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/01/04 **DATE OF COMPLETION:** 06/30/06 **PAGE #1** of 6

SUMMARY OF ALLEGATIONS #1-3: The officers issued an invalid order.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: Civilian witnesses interviewed by the Office of Citizen Complaints stated that the complainant was intoxicated, but sought to ride his motorcycle while under the influence. The Office of Citizen Complaints learned in its investigation that San Francisco police officers were summoned independently by an unidentified civilian from a nearby nightclub and by California Highway Patrol Officers. The SFPD officers ordered the complainant to take alternate means of transport home or face detention for public drunkenness. According to civilian witnesses and the officers, the complainant refused. The complainant admitted to the Office of Citizen Complaints that he was intoxicated. The order was valid.

SUMMARY OF ALLEGATIONS #4-5: The officers detained the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that officers improperly detained him, stating that he was resting by his motorcycle at the time, considering his choices. The complainant admitted to the Office of Citizen Complaints that he was intoxicated at the time of the incident. A civilian witness interviewed by the OCC stated that the complainant was intoxicated and attempted to ride his motorcycle, taking an excessive amount of time to find his keys when they were in the ignition the entire time. This same witness saw the Highway Patrol and then noticed later that SF Police Department members took over the detention. The Office of Citizen Complaints determined by independent evidence from the Department of Emergency Communications that San Francisco Police Department officers were summoned by a civilian witness and also by the California Highway Patrol. SFPD officers first spoke to the complainant, and initially gave him the option to take an alternate way home, but the complainant refused. The officers assessed the complainant, and found him too intoxicated to care for himself. The detention was proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/01/04 **DATE OF COMPLETION:** 06/30/06 **PAGE #2** of 6

SUMMARY OF ALLEGATION #6: The officer handcuffed the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The OCC spoke to two civilian witnesses, one of whom witnessed the complainant being placed in handcuffs. The witnesses stated that the complainant had already been given the option to leave the scene, but refused. The complainant admitted being intoxicated, but denied refusing to leave the scene. He stated he wanted to notify his domestic partner that he was detained because he was her ride home, but claimed he was denied access to her because she was inside a nearby club. The officer stated that he detained the complainant following his assessment of the complainant's lack of sobriety. The officer justifiably placed the complainant in handcuffs, pursuant to the complainant's detention for public drunkenness. The handcuffing officer explained to the OCC that the complainant sought to negotiate the situation after he placed the complainant in handcuffs, when it was inevitable that he would be transported to County Jail and detained until he could be released when sober. In his OCC interview, the officer explained that he had completed his assessment of the complainant, and that the complainant was already detained, was unable to care for himself and presented too great a risk to himself and potentially to others on the road. The handcuffing was proper.

SUMMARY OF ALLEGATION #7: The officers uttered sexual slurs regarding the complainant and his domestic partner.

CATEGORY OF CONDUCT: SS **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that officers uttered sexual slurs regarding himself and domestic partner while he was detained, but he was unable to identify any of the officers making the alleged slurs. The Office of Citizen Complaints queried the officers who responded to the call. They denied making sexual slurs. The OCC interviewed three civilian witnesses. One of them did not see the interaction. The other witness was too far away to hear the entire verbal interaction between the officers and the complainant. The witness closest to the incident did not hear any discussion regarding the complainant's domestic partner. There was insufficient evidence to prove or disprove the allegation made by the complainant or to identify the officer involved.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/01/04 **DATE OF COMPLETION:** 06/30/06 **PAGE #3 of 6**

SUMMARY OF ALLEGATION #8: The officers made threatening comments regarding the complainant and his domestic partner.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that officers made threatening comments regarding himself and domestic partner while he was detained. The complainant was unable to identify any of the officers making such comments. The Office of Citizen Complaints queried the officers who responded to the call. They denied making threatening comments. The OCC interviewed two civilian witnesses. One of them did not see the interaction. The other witness was too far away to hear the entire verbal interaction between the officers and the complainant. The witness closest to the incident did not hear any discussion regarding the complainant's domestic partner. There was insufficient evidence to prove or disprove the allegation made by the complainant or identify the officer involved.

SUMMARY OF ALLEGATION #9: The officer used unnecessary force during a search of the complainant.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that after the officers made sexual slurs and threatening comments regarding him and his domestic partner, the complainant kicked the named officer. The OCC interviewed several witnesses, including two percipient witnesses. While the percipient witnesses recalled the incident, he did not recall the officer's use of force. The officer denied the allegation. He stated the complainant kicked him during a search prior to transporting the complainant and claimed the complainant was preparing to kick him again when he punched the complainant twice in rapid succession in the face. Other officers questioned by the OCC stated that the named officer punched the complainant once or twice. The other witnesses did not see the officer's use of force. One witness heard a scuffle prior to the complainant being loaded into the patrol wagon. There was insufficient evidence to prove or disprove the allegation made by the complainant.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/01/04 **DATE OF COMPLETION:** 06/30/06 **PAGE #4 of 6**

SUMMARY OF ALLEGATIONS #10-14: The officers used unnecessary force when loading the complainant into the patrol wagon for prisoner transport.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officers held him down and assaulted him prior to his transport to County Jail. The Office of Citizen Complaints interviewed several witnesses, including two percipient witnesses. One percipient witness was a female prisoner who was detained at the same nightclub as the complainant and already placed in the same patrol wagon, prior to the complainant being loaded into the same wagon. She saw two unidentified officers open the wagon's back doors and place the complainant into the back of the patrol wagon approximately 3-5 minutes after she was already inside. She stated that she heard a scuffle and that she heard the complainant land hard into the back of the wagon. She heard the complainant ask the officers not to hit him anymore, but did not see the faces of the officers who placed him inside the wagon. She stated it was dark in the wagon and she could not see much because there was no light inside, at any time, including when the door to the wagon was opened. She also stated that it was dark outside. The witness stated that she was physically separated from the complainant in another compartment of the patrol wagon, but that there was a grate separating her and the male compartment of the wagon, so she tried to see. She did not have any conversation with the complainant. This witness stated that from the time she was detained at the club, until her arrival at County Jail, when she was unloaded, the officers did not open the wagon doors again. She stated that while en route to County Jail from the club, the officers made no stops, and picked up no additional prisoners. The witness was questioned regarding her level of intoxication. She denied being intoxicated, stating that she was detained for being intoxicated because she got into an altercation with a nightclub employee.

The complainant further alleged that the officers assaulted him after leaving the nightclub. The female prisoner in the wagon denied that any further injury occurred to the complainant while she was with the complainant in the wagon, but she stated she was unloaded first upon her arrival at the County Jail. The complainant was then seen by a Jail Health Services nurse, deemed a refusal, and then transported to San Francisco General Hospital. The officer who punched the complainant denied the allegation, stating that the complainant kicked him during a search prior to transport and claimed the complainant was preparing to kick him again when he punched the complainant twice in rapid succession in the face. He stated the other named officers came to his assistance. The other named officers questioned by the OCC stated that the officer who punched the complainant punched him once or twice, depending on their vantage point. The officers further stated that in order to control the prisoner, they pinned him against the back of the patrol wagon in order to prevent him from further kicking the officer. Some of the officers stated that the complainant continued to resist as he was placed into the wagon. The officers denied making any stops between the club and the County Jail. They denied making any stops between County Jail and the hospital. There was insufficient evidence to prove or disprove the allegation made by the complainant.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/01/04 **DATE OF COMPLETION:** 06/30/06 **PAGE #5 of 6**

SUMMARY OF ALLEGATIONS #15-19: The officers failed to provide the complainant with prompt medical attention.

CATEGORY OF CONDUCT: ND FINDING: PF DEPT. ACTION:

FINDINGS OF FACT: The complainant stated that he complained of pain to the officers at the scene. The officers denied the allegation, stating that the complainant did not complain of pain to them at the scene. The witness in the wagon did not hear the complainant ask for medical attention. She heard him groan while closed inside the wagon. She also heard him say “please don’t hit me again.” The officers denied the allegation. One officer said he asked the complainant if he was “OK” and stated the complainant responded with obscenities. The OCC finds that San Francisco Police Officers transporting prisoners in a patrol wagon are physically unable to monitor their prisoners for any of their medical needs in accordance with existing State and San Francisco Police Department Regulations. Accordingly, the OCC recommends that the SFPD make the necessary vehicular adjustments required in order to monitor prisoners’ wellbeing.

SUMMARY OF ALLEGATIONS #20-21: The officers failed to secure a crime scene.

CATEGORY OF CONDUCT: ND FINDING: PF DEPT. ACTION:

FINDINGS OF FACT: The complainant stated that the officers driving the patrol wagon left him in a puddle of his own blood inside the patrol wagon prior to transport. The investigation did not yield sufficient evidence proving or disproving that the named officers had knowledge that the complainant was bleeding or hemorrhaging at the scene. The investigation did not yield sufficient evidence proving or disproving that the named officers had knowledge that the complainant was injured to the extent that the officers knew or should have known that to transport him anywhere but a hospital would have amounted to a neglect of duty. The witnesses did not see the complainant’s injury and concomitant bleeding due to the lack of light in the transporting vehicle. One of the officers stated that the complainant’s blood was discovered and partially cleared upon arrival at the County Jail. He stated the complainant was assessed and refused jail admittance by a triage nurse employed by Jail Medical Services. There was insufficient evidence to prove or disprove the allegation made by the complainant. The OCC spoke with SFPD Fleet Management Services. The Officer In Charge explained that the officers driving the transporting vehicle had no obligation to document the complainant’s blood loss in the wagon when surrendering the vehicle at the end of their shift. The officers noted in their interviews that the complainant lost blood following a punch to his nose. The OCC recommends that accumulation of pooled blood loss by a prisoner in transit must be immediately reported to the officer’s watch commander and noted in the incident report.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/01/04 **DATE OF COMPLETION:** 06/30/06 **PAGE #6 of 6**

SUMMARY OF ALLEGATION #22: The officer taunted the complainant.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer made taunting remarks to him at the hospital. The OCC interviewed witnesses employed at the hospital. They denied overhearing inappropriate remarks made by the named officers. The officer denied making inappropriate remarks to the complainant. There was insufficient evidence to prove or disprove the allegation made by the complainant.

SUMMARY OF OCC ADDED ALLEGATIONS #1-2: The officers wrote incomplete and inaccurate incident reports.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officers denied the allegations. The witnesses did not see the entire incident, including the officer's use of force, the complainant's loss of blood and they did not overhear the verbal interaction between the complainant and the officers. There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/22/05 **DATE OF COMPLETION:** 06/01/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer used excessive force.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officers beat her on the head and were suffocating her. She said she twisted her ankle, had knots on her head, bruised eyes, and a busted nose and had blood on head. The officers denied the allegation. The officers stated that the complainant was resisting arrest and caused the injuries to herself due to her resistance. The complainant never responded for an interview nor signed a medical release. The mug shot of the complainant shows she has some bruises on face that seem consistent with rug burns described by officers as she had her face down on carpet while resisting. The hotel security guard was a witness however he has not responded for an interview. There is insufficient evidence to prove or disprove the allegation

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/23/05 **DATE OF COMPLETION:** 06/16/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer cited the complainant without justification

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant, who is a limousine driver, stated that he was parked outside an airline terminal waiting to pick up a client. The complainant stated that he exited his car and deposited some trash into a garbage receptacle next to his car. When the complainant returned to his vehicle, he saw the named officer, who questioned him about and examined his waybill. The complainant stated that the officer then issued him a citation for leaving his vehicle unattended. The named officer stated that he saw the complainant exit the terminal building, examined the complainant's waybill and determined that it was incomplete. The named officer stated that he cited the complainant for leaving his vehicle unattended, which is a violation of airport ground transportation regulations. There were no known witnesses to the encounter between the complainant and the officer. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/23/05 **DATE OF COMPLETION:** 06/16/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATIONS #1 and #2: The officers detained the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officers offered several reasons for detaining the complainant, several of which conflicted with the complainant's version of what occurred. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATIONS #3 and #4: The officers drew their weapons without justification.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officers offered several reasons for drawing their weapons, several of which conflicted with the complainant's version of what occurred. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/27/05 **DATE OF COMPLETION:** 06/30/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer failed to properly process the complainant's property

CATEGORY OF CONDUCT: ND **FINDING:** U **DEPT. ACTION:**

FINDINGS OF FACT : The evidence proved that the named member was not involved in the acts alleged.

SUMMARY OF ALLEGATION #2: The officer failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** TF **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he attempted to contact a police station to locate his lost property via a relay service. The complainant is deaf. He claimed that he contacted the station on particular times and dates. The OCC attempted to identify the officers who may have had contact with the complainant via relay, but was unable to do so. The OCC learned from an expert witness that customer assistants from relay services are frequently mistaken for telemarketers by inadequately trained personnel. The evidence proved that the action complained of was the result of inadequate training or an absence of training when viewed in light of Departmental policy and procedure with regard to deaf and hard of hearing persons.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/04/04 **DATE OF COMPLETION:** 06/28/06 **PAGE #** 1 of 1

SUMMARY OF ALLEGATION #1: The officer engaged in a pattern of harassment.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer harassed him. The complainant stated the officer told him to move his parked vehicle due to street cleaning. The complainant admitted he parked his vehicle on a street designated for and during street cleaning. SFPD records indicated the officer named by the complainant was misidentified. Other officers stated they did not recall the incident with the complainant. The witnesses stated they did not witness the incident and requested not to be involved at this time. There was insufficient evidence to prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/03/05 **DATE OF COMPLETION:** 06/30/06 **PAGE#** 1 of 5

SUMMARY OF ALLEGATION #1-3: The officers made inappropriate comments and behavior.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officers denied the allegation, stating they did not make any inappropriate comments towards the complainant or the male arrestee. The officers stated they did not hear any officers make inappropriate comments to the comp while at the police station. The witness stated the complainant and her male friend were belligerent and physically aggressive towards him. The complainant admitted that many of her friend's comments to the witness and the officers, were rude and unnecessary. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #4: The officer was discourteous for using profanity.

CATEGORY OF CONDUCT: D **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named officer denied the allegation, stating that he did not make any inappropriate or profane remarks during the contact. The witness stated the complainant and her male friend were belligerent and physically aggressive towards him. The complainant admitted that many of her friend's comments to the witness and the officers, were rude and unnecessary. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/03/05 **DATE OF COMPLETION:** 06/30/06 **PAGE#** 2 of 5

SUMMARY OF ALLEGATION #5-6: The officers arrested the complainant and her male friend without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The officers denied the allegation, stating that the complainant's male friend initially assaulted the witness security guard while in a restricted private area. When the officers escorted the parties away from the restricted area, the complainant and her male friend became physically and verbally aggressive towards the officers, and would not comply with their commands. The witness corroborated that the male assaulted him and the complainant attempted to put her hands on the witness. The witness signed a citizen's arrest form for the arrest of the complainant's male friend. The evidence proved that the acts which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

SUMMARY OF ALLEGATION #7-8: The officers detained the complainant and her male friend without justification.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The officers denied the allegation, stating that they observed the complainant and a male in a verbal and physical confrontation with the witness security guard. The officers intervened the confrontation and escorted the parties out of the area to conduct an investigation of the altercation. The witness corroborated he was involved in a physical and verbal altercation with the complainant and her male friend. The evidence proved that the acts which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/03/05 **DATE OF COMPLETION:** 06/30/06 **PAGE#** 3 of 5

SUMMARY OF ALLEGATION 9: The officer used unnecessary force during the arrest.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named officer denied the allegation, stating the male arrestee became physically and verbally aggressive towards him while escorting the male away from the restricted area. The officer stated the male arrestee backed his body into the officer and kicked the officer in his shin. The officer performed a rear leg sweep, as trained by San Francisco Police Department, and took the male the ground. The male attempted to evade handcuffing, by rolling his body on the ground. The witness security guard corroborated that the male arrestee was belligerent and physically aggressive. There were no other witnesses. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #10-11: The officers failed to provide their name and star # to the complainant.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officers denied the allegation, stating that they both provided their name and star #, when it was requested. One of the officers stated that he even provided a pen to a passerby to document his name and star #. The complainant corroborated a female passerby who asked questions pertaining to the arrest. There were no other witnesses. There is insufficient evidence to either prove or disprove the allegation made in the complaint

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/03/05 **DATE OF COMPLETION:** 06/30/06 **PAGE#** 4 of 5

SUMMARY OF ALLEGATION #12: The officer failed to advise the complainant of her Miranda Rights.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named officer did not document that he advised the complainant of her Miranda Rights. There were no other witnesses. There is insufficient evidence to either prove or disprove the allegation made in the complaint

SUMMARY OF ALLEGATION #13-14: The officers failed to state the reason for the arrest.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officers denied the allegation, stating they advised the complainant and the male arrestee of the reason for the arrest during the arrest and numerous times afterwards. There were no other witnesses. There is insufficient evidence to either prove or disprove the allegation made in the complaint

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/03/05 **DATE OF COMPLETION:** 06/30/06 **PAGE# 5 of 5**

SUMMARY OF ALLEGATION #15-16: The officers handcuffed the complainant (juvenile) to a fixed object.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officers denied the allegation stating that the complainant was handcuffed to the same chair (unfixed object) that she sat on. The handcuffs were removed approximately 10-15 minutes once the complainant was placed in the juvenile room. One officer stated the complainant was allowed to use the restroom. Upon the complainants return to the juvenile room, the complainant's handcuffs were removed . Both officers corroborated the complainant was under constant supervision by their presence and a Sergeant at the station. Both officers corroborated the complainant had no contact with adult or juvenile prisoners. There were no other witnesses. There is insufficient evidence to either prove or disprove the allegation made in the complaint

SUMMARY OF ALLEGATION #17-18: The officer(s) made sexually derogatory comments to the complainant.

CATEGORY OF CONDUCT: SS **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named officer denied the allegation, stating that he did not make or hear any officer(s) make sexually derogatory comments to the complainant during the arrest or while she was handcuffed in the police station juvenile room. The arresting officer corroborated that he did not hear any officers make sexually derogatory comments to the complainant during the arrest or while she was handcuffed at the station. There were no other witnesses. There is insufficient evidence to either prove or disprove the allegation made in the complaint

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/07/05 **DATE OF COMPLETION:** 06/09/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATIONS #1 and 2: The officers behaved inappropriately.

CATEGORY OF CONDUCT: CRD **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The evidence proved that the acts for which provided the basis for the allegation did occur, however such acts were justified, proper and lawful.

SUMMARY OF ALLEGATION:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/12/04 **DATE OF COMPLETION:** 06/25/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1-4: The officers made inappropriate and threatening remarks.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officers laughed at him and did not allow him to make his contentions during the tow hearing. The officers denied they laughed at the complainant. The officers stated the complainant was argumentative and disruptive. There was no witness that provided a statement at this time. There was insufficient evidence to prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #5-9: The officers failed to follow proper procedures.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officers at the tow hearing told him he could not represent another person in the hearing. The complainant stated he was not allowed to speak about the vehicle tows. The officers stated the complainant was told he could speak for another person and provide arguments against the tow. The witness did not provide a statement at this time. There was insufficient evidence to prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/12/04 **DATE OF COMPLETION:** 06/25/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #10: The officer failed to take required action.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer did not take an Incident Report when requested by the complainant at the station. The complainant stated he initially approached the officer but the officer refused to take the report. The officer stated the complainant did not request that he complete an incident report. San Francisco Police Department records indicated another officer completed an Incident Report. There was no witness that provided a statement at this time. There was insufficient evidence to prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/12/05 **DATE OF COMPLETION:** 06/10/06 **PAGE#** 1 of 4

SUMMARY OF ALLEGATIONS#1 and 2: The officers detained the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complaint said he was walking down the sidewalk, minding his own business, when he was tackled from behind by officers. The officers denied tackling the complainant from behind and stated that as they approached him he ran off into the street providing them with the reasonable suspicion to detain him based on a traffic code violation. There were no identified witnesses. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATIONS 3 and 4: The officers arrested the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complaint said he was walking down the sidewalk, minding his own business, when he was tackled from behind by officers. The officers denied tackling the complainant from behind and stated that as they approached him he ran off into the street providing them with the probable cause to arrest based on a traffic code violation. Officers said that during the arrest they found suspected narcotics in the complainant's possession providing additional grounds for arrest. There were no identified witnesses. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/12/05 **DATE OF COMPLETION:** 06/10/06 **PAGE#** 2 of 4

SUMMARY OF ALLEGATIONS #5, 6 and 7: The officers used unnecessary force against the complainant.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officers denied the allegation. The investigation was unable to identify any other officer who used physical force against the complainant. Back-up officers denied using or seeing any officer use unnecessary force against the complainant. There were no other identified witnesses. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATIONS #8 and 9: The officers behaved in an inappropriate manner and made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officers denied the allegation. There were no identified witnesses. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/12/05 **DATE OF COMPLETION:** 06/10/06 **PAGE#** 3 of 4

SUMMARY OF ALLEGATION #10: The officer used profanity.

CATEGORY OF CONDUCT: D **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer denied the allegation. A second officer present at the time denied hearing the alleged profanity. There were no other identified witnesses. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/12/05 **DATE OF COMPLETION:** 06/10/06 **PAGE#** 4 of 4

OCC ADDED ALLEGATIONS SUMMARY OF ALLEGATIONS #1 and 2:

The officers failed to properly report the use of force.

CATEGORY OF CONDUCT: ND **FINDING:** SUS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he was injured during the arrest and complained of chest pain. The officers said the complainant complained of chest pain and mouth pain. Paramedics were called to the scene and transported the complainant to the hospital where he was treated for documented injuries. The officers neglected their duty when they failed to make, or failed to cause to be made, an entry into the Use of Force Log.

SUMMARY OF ALLEGATION :

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/13/05 **DATE OF COMPLETION:** 06/26/06 **PAGE#** 1 of 4

SUMMARY OF ALLEGATION #1 & 2: The officers detained the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that while attending a football game at Monster Park, an usher told him and his companion to calm down. Several minutes later, two uniformed officers asked the complainant to leave his seat and walk to the gate area to speak to them. The complainant stated that the officers told him that he was being too loud and had to calm down. The complainant stated that one of the officers asked for his name and date of birth, but did not request his identification. After apparently checking the complainant's name, one of the officers told the complainant that he had a warrant for his arrest and that they were going to escort him out of the stadium. The officers stated that an usher summoned them and said that he had received complaints from several fans about the complainant's behavior, and asked that the complainant be ejected from the stadium. The usher stated that he received complaints about the complainant's behavior from several individuals who were seated nearby, and that when he told the complainant to calm down, the complainant motioned him away. The usher stated that he received another complaint from a fan a short time later, and in response, the usher contacted a police officer and said that he wanted the complainant ejected from the stadium. Department records confirm that the usher requested that police officers detain and eject the complainant from the stadium. The complainant's companion confirmed that an usher spoke to them, but he stated that he and the complainant were behaving no differently than other fans, and that fans seated near them told the usher that they were not presenting a problem. The complainant's companion stated that as the complainant was talking to the officers after leaving the stands, another usher and several fans approached the officers and told them that the complainant had not been doing anything wrong. The other usher who was working in that section of the stadium stated that he did not clearly recall this incident. The evidence established that the acts which provided the basis for the allegation occurred, however such acts were lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/13/05 **DATE OF COMPLETION:** 06/26/06 **PAGE#** 2 of 4

SUMMARY OF ALLEGATION # 3 - 6: The officers ejected the complainant from a football game without justification.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that while attending a football game at Monster Park, an usher told him and his companion to calm down. Several minutes later, two uniformed officers asked the complainant to leave his seat and walk to the gate area to speak to them. The complainant stated that the officers told him that he was being too loud and had to calm down. The complainant stated that one of the officers asked for his name and date of birth, but did not request his identification. After apparently checking the complainant's name, one of the officers told the complainant that he had a warrant for his arrest and that they were going to escort him out of the stadium. The officers stated that an usher summoned them and said that he had received complaints from several fans about the complainant's behavior, and asked that the complainant be ejected from the stadium. The usher stated that he received complaints about the complainant's behavior from several individuals who were seated nearby, and that when he told the complainant to calm down, the complainant motioned him away. The usher stated that he received another complaint from a fan a short time later, and in response, the usher contacted a police officer and said that he wanted the complainant ejected from the stadium. Department records confirm that the usher requested that police officers detain and eject the complainant from the stadium. The complainant's companion confirmed that an usher spoke to them, but he stated that he and the complainant were behaving no differently than other fans, and that fans seated near them told the usher that they were not presenting a problem. The complainant's companion stated that as the complainant was talking to the officers after leaving the stands, another usher and several fans approached the officers and told them that the complainant had not been doing anything wrong. The other usher who was working in that section of the stadium stated that he did not clearly recall this incident. The evidence established that the acts which provided the basis for the allegation occurred, however such acts were lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/13/05 **DATE OF COMPLETION:** 06/26/06 **PAGE#** 3 of 4

SUMMARY OF ALLEGATION # 7 & 8: The officers used force on the complainant without cause.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that as he was being escorted out of the football stadium, the officers used unnecessary force upon him when he attempted to pick up his cell phone and bus transfer, which he had dropped. The complainant's companion stated that the complainant dropped a piece of paper and picked it up, continued walking, and dropped his cell phone and attempted to pick that up. Two officers then jumped on the complainant. One of the named officers stated that as he and his partner were escorting the complainant out of the stadium, he repeatedly pulled away from them, and removed a piece of paper from his pocket and dropped it to the ground, which the officers believed might be a ruse to break free and run from them. The named officer stated that he and his partner assisted the complainant to the ground and handcuffed him. The second named officer stated that the complainant pulled away from him and his partner, and that they assisted him to the ground, where he tucked his arms under his body. Witness officers confirmed that the complainant deliberately dropped something to the ground, and stated that the named officers then guided the complainant to the ground, where the complainant tucked his arms under his body and refused commands to place his arms behind his back. Photographs of the complainant four days after this incident show a bruise to one shoulder and a red mark on the side of his face. A mug-shot photograph taken of the complainant soon after his arrest does not clearly show any injuries. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/13/05 **DATE OF COMPLETION:** 06/26/06 **PAGE#** 4 of 4

SUMMARY OF ALLEGATION # 9: The officer arrested the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he was detained without justification at a football game at Monster Park. After the complainant gave one of the police officers his name and date of birth, the officer told the complainant that he had a warrant for his arrest, and that they were going to escort him out of the stadium. The complainant stated that as he was being escorted out of the stadium, the officers grabbed him as he bent down to pick up something he had dropped, handcuffed him, and placed him under arrest for an outstanding warrant. Department records indicate that the complainant had an outstanding warrant for his arrest, and that the officers ran a query on the complainant which disclosed the existence of this warrant. The supervising officer on the scene stated that he made the decision to place the complainant under arrest for the warrant. The evidence established that the acts which provided the basis for the allegation occurred, however such acts were lawful and proper.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/31/05 **DATE OF COMPLETION:** 06/30/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATIONS #1-2: The officers arrested the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated he was refused admittance to a strip club because he was drunk. Emergency Communications Department records confirm that the club's doorman told the dispatcher that the complainant was close to physically attacking people. The dispatcher could hear the complainant yelling. The doorman stated that he called 911 because the complainant was drunk and creating a disturbance. The officers stated that the complainant was intoxicated, continued to cause a disturbance outside the establishment and resisted arrest. The officers' conduct was proper.

SUMMARY OF ALLEGATION #3: The officer used unnecessary force.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: There is no dispute that the officer struck him with a baton seven to eight times during his arrest. The complainant stated that he did not feel any pain when he was hit. A witness stated the complainant was drunk and causing a disturbance. The officer stated the complainant was intoxicated, combative and refused repeated orders to place himself on the ground. The officer's partner stated the complainant refused orders to place his hands behind his back, and clenched his hands in fists and assumed a fighting stance. Jail Medical Records stated the complainant was intoxicated and had minor swelling and abrasions on his right side. There were no available witnesses. There was no additional evidence to further prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/31/05 **DATE OF COMPLETION:** 06/30/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #4: The officer used profanity.

CATEGORY OF CONDUCT: D **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant did not know which officer used profanity. Both officers denied using profanity. There were no available witnesses. There was no additional evidence to further prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/03/05 **DATE OF COMPLETION:** 06/16/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant's vehicle was stolen and recovered. The complainant was notified by Auto recovery and a message was left informing her that the car had been recovered and a number to call back. The officer notified dispatch and asked them to inform the complainant that her vehicle had been recovered. Department records indicate that the officer requested notification and notification was made. The officer's actions were in compliance with department rules and procedures.

SUMMARY OF ALLEGATION #2: The officer towed the complainant's vehicle without justification.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant's vehicle was stolen and recovered. The complainant's understanding was that she was going to be notified when the car was recovered and that it would be her decision on whether it should be towed or not. The officer stated that the dispatcher made notification but no one responded and he further stated that the complainant signed a stolen Vehicle Signature card authorizing any peace officer to tow the vehicle when located. The officer towed the vehicle per DGO 9.06. Department records show that notification was made at 17:55 pm and that the tow truck was at the scene at 18:27 pm which is beyond the 20 minute time allowance. The officer's actions were in compliance with department rules and procedures.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/03/05 **DATE OF COMPLETION:** 06/16/06 **PAGE # 2 of 2**

SUMMARY OF ALLEGATION #3: This allegation raises matters outside of OCC's jurisdiction

CATEGORY OF CONDUCT: **FINDING:** IO1 **DEPT. ACTION:**

FINDINGS OF FACT: This allegation raises matters outside the OCC's jurisdiction.

SUMMARY OF ALLEGATION #4: The officer failed to properly investigate.

CATEGORY OF CONDUCT: ND **FINDING:** PF **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that her car was not fingerprinted and that there would be no further investigation. The commanding officer of Auto Detail stated that this case did not meet their investigation criteria and CSI was not notified. (Policy Failure in that there is insufficient resources available to investigate all stolen vehicle cases.)

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/03/05 **DATE OF COMPLETION:** 06/09/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1-2: The officers failed to investigate properly.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officers took his roommate's side of the story. The complainant also stated that the officers refused to look at the materials he tried to present to the officers to prove tenancy. The officers denied the allegation. One witness, building manager, stated that the complainant was only a guest and not a tenant. The witness further stated that sub leasing is not allowed and is part of the contract. The complainant's former roommate failed to respond to Office of Citizen Complaints request for interviews. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #3-4: The officers failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated he wanted his former roommate arrested for locking him out of the apartment. The officers denied the allegation. The roommate did not respond to Office of Citizen Complaints request for interviews. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/03/05 **DATE OF COMPLETION:** 06/09/06 **PAGE # 2 of 2**

SUMMARY OF ALLEGATION #5-6: The officers exhibited inappropriate behavior.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officers assisted his former roommate in removing the complainant's belongings out of the apartment. The officers denied the allegation. The roommate did not respond to Office of Citizen Complaints requests for interview. There were no other witnesses. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #7-8: The officers issued an invalid order.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officers required that he return his keys to the former roommate and escorted him out of the building. The officers denied the allegation. The apartment manager stated that he did not ask the complainant for keys because he had already moved most of his belonging prior to this incident. The manager said he was not present for the entire incident. The roommate did not respond to Office of Citizen Complaints request for interviews. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/18/05 **DATE OF COMPLETION:** 06/29/06 **PAGE #** 1 of 3

SUMMARY OF ALLEGATION #1: The officer detained the complainant without justification in July or August of 2004.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer detained her when demanding her identification and threatening to arrest her when she refused. A witness' statement was inconclusive. The officer denied the allegation. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer made threatening comments and behaved improperly in July or August of 2004.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer spoke to her rudely, made unwarranted demands, made menacing gestures and threatened to arrest her. The officer denied the allegation, stating he addressed the complainant solely as to her potentially unlawful conduct of inciting residents against police officers. The witness to this incident recalled the officer being rude but could not recall the manner of rudeness he exhibited. No other witnesses came forward. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/18/05 **DATE OF COMPLETION:** 06/29/06 **PAGE #** 2 of 3

SUMMARY OF ALLEGATION #3: The officer detained the complainant without justification on September 14, 2004.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer conducted a traffic stop of her vehicle for no lawful purpose and improperly detained her as a result. The officer denied the allegation, stating he commenced to conduct a traffic stop of the complainant for having made an illegal lane change, however, he had to leave the scene on a high priority call. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer harassed the complainant on September 14, 2005.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer conducted a traffic stop of her vehicle merely to ask if she remembered him. The officer denied the allegation, stating it was the complainant who asked if he remembered her. The officer stated he advised the complainant of her traffic violation then left the scene on a high priority call. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/18/05 **DATE OF COMPLETION:** 06/29/06 **PAGE#** 3 of 3

SUMMARY OF ALLEGATION #5: The officer failed to investigate.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant alleged the named officer initially offered to investigate a subordinate officer but later feigned not to recall the officer's name he was to investigate. The officer denied the allegation, stating he did not feign interest in investigating a subordinate officer and responded to the complainant's request in a timely manner. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #6: The officer misrepresented the truth.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the named officer misrepresented the truth to his partner regarding a traffic stop the named officer had made of the complainant. The officer denied the allegation. The witness officer did not recall having ever met the complainant. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/22/05 **DATE OF COMPLETION:** 06/09/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATIONS #1 and 2: The officers cited the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The evidence proved that the act which provided the basis for the allegation occurred, however such act was lawful and proper.

SUMMARY OF ALLEGATIONS 3 through 4: The officers made inappropriate comments and behaved inappropriately.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officers denied the allegation. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/22/05 **DATE OF COMPLETION:** 06/29/06 **PAGE#** 1 of 3

SUMMARY OF ALLEGATION #1: Officers conducted themselves in an inappropriate manner.

CATEGORY OF CONDUCT: CRD **FINDING:** NF/W **DEPT. ACTION:**

FINDINGS OF FACT: The complainant withdrew the complaint.

SUMMARY OF ALLEGATION #2 : Officer filed false charges.

CATEGORY OF CONDUCT: CRD **FINDING:** NF/W **DEPT. ACTION:**

FINDINGS OF FACT: The complainant withdrew the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/22/05 **DATE OF COMPLETION:** 06/29/06 **PAGE#** 2 of 3

SUMMARY OF ALLEGATION #3: Officer handcuffed subject extraordinarily tight.

CATEGORY OF CONDUCT: UF **FINDING:** NF/W **DEPT. ACTION:**

FINDINGS OF FACT: The complainant withdrew the complaint.

SUMMARY OF ALLEGATIONS #4 and #5: The officers used unnecessary force during arrest.

CATEGORY OF CONDUCT: UF **FINDING:** NF/W **DEPT. ACTION:**

FINDINGS OF FACT: The complainant withdrew the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/22/05 **DATE OF COMPLETION:** 06/29/06 **PAGE#** 3 of 3

SUMMARY OF ALLEGATION #6: Officer's conduct was retaliatory.

CATEGORY OF CONDUCT: CRD **FINDING:** NF/W **DEPT. ACTION:**

FINDINGS OF FACT: The complainant withdrew the complaint.

SUMMARY OF ALLEGATION #7: The officer searched subject without cause.

CATEGORY OF CONDUCT: UA **FINDING:** NF/W **DEPT. ACTION:**

FINDINGS OF FACT: The complainant withdrew the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/28/05 **DATE OF COMPLETION:** 06/29/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATIONS #1-8: The officers arrested the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant alleged that over a period of years, as far back as 2002, the named officers as well as unidentified officers, arrested the complainant for a series of domestic violence incidents that were later adjudicated in San Francisco Superior Court. The complainant stated that the arrests were unwarranted, in part, based on the outcome of his cases in court, citing a judge's apology as partial justification. The OCC interviewed the victim. She confirmed that all the arrests of the complainant whereby she was a complaining witness were warranted, stating that the complainant had committed numerous acts of physical violence upon her, including strangling. The OCC performed a computerized search of the complainant's arrests in San Francisco and found several Incident Reports regarding the arrest of the complainant. The officers denied the allegations. The OCC provided each named officer with a copy of the report where they were involved in the arrest of the complainant. Each officer stated that he had probable cause to arrest the complainant at the time of contact. The propriety of the arrests depended on objective presentation of acts of domestic violence. Each arrest presented demonstrable acts of domestic violence officers could point to in their Incident Reports, where they were required to make an arrest. The arrests were justified.

SUMMARY OF ALLEGATION #9: The officers arrested the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: The officer is no longer available and subject to department discipline.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/02/05 **DATE OF COMPLETION:** 06/25/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer made inappropriate comments and acted in an appropriate manner.

CATEGORY OF CONDUCT: CRD **FINDING:** S **DEPT. ACTION:**

FINDINGS OF FACT: The complainant had requested police service for a complaint of vandalism of the outside and inside of her apartment unit. The complainant was very upset about the intrusion and was very emotional regarding the incident, due in part to the background of the incident and due in part to a disability. The complainant stated that the officer asked her a series of intrusive, personal questions not germane to his investigation. The intrusive and inappropriate nature of the officer's questions was corroborated by percipient witnesses at the scene. One witness specifically stated that the questions were irrelevant to the nature of the officer's investigation. A preponderance of the evidence proved that the conduct complained of did occur, and that using as a standard the applicable conduct regulations of the department, the conduct was improper.

SUMMARY OF ALLEGATION #2: The officer failed to properly investigate.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer failed to perform a proper inquiry into the source of the vandalism of the inside and outside of her unit. The officer denied the allegation. The OCC found that the officer performed a minimal inquiry and issued the complainant a reportee follow-up form, directing the complainant to contact the department's General Work Unit. The witnesses stated that the officer performed a minimal inquiry, without asking if the complainant knew who might have been responsible for the alleged crime committed. There was insufficient evidence to prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/02/05 **DATE OF COMPLETION:** 06/25/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officer failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant alleged that the officer failed to investigate an alleged hate crime. The complainant had stated that certain specific neighbors of hers, one residing next door to her and one living across the street were responsible for alleged graffiti that had been carved with a hate-laced message and partially painted into the outside wall of her building. The OCC went to the scene of where the graffiti had been placed. The complainant stated that by the time the OCC arrived, the graffiti had been power washed off the wall in question. The officer denied that there had been any graffiti to begin with, stating that all he saw was a mud spatter. One witness stated that he could not see any graffiti. Another witness stated that there was graffiti on the wall in question, in ink and mud. There was insufficient evidence to prove or disprove the allegation made in the complaint.

SUMMARY OF OCC ADDED ALLEGATION #1: The officer failed to submit his report by the end of watch.

CATEGORY OF CONDUCT: ND **FINDING:** S **DEPT. ACTION:**

FINDINGS OF FACT: The officer admitted that he submitted his report after the end of his watch. He stated he forgot to write his report. A preponderance of the evidence proved that the conduct complained of did occur, and that using as a standard the applicable regulations of the department, the conduct was improper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/07/05 **DATE OF COMPLETION:** 06/14/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATIONS #1: The officer detained the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer cited him for offenses the complainant did not commit. The officer stated he observed the complainant commit three C.V.C. violations and he cited the complainant for these violations. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer arrested the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant denied making two of the three vehicle code violations for which he was issued a misdemeanor citation for reckless driving, and attributed his evasive driving to the officer's unmarked vehicle. The officer stated that the complainant committed three C.V.C. violations, which warranted a reckless driving citation. There was no witness to the reported vehicle code violations. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/12/05 **DATE OF COMPLETION:** 06/26/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer engaged in disparate treatment based on race and gender.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer denied the allegation. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION 2: The officer used profanity.

CATEGORY OF CONDUCT: D **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer denied the allegation. There were no known or identified witnesses. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/12/05 **DATE OF COMPLETION:** 06/26/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officer seized the complainant's driver's license without cause.

CATEGORY OF CONDUCT: CRD **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: Under the Vehicle Code a peace officer has the discretion to revoke a driver's license if after completion of and before the results of a breath or blood test an "officer believes the results will show 0.08% BAC or more." The evidence shows that the officer believed that the complainant was under the influence. The conduct of the officer was proper.

SUMMARY OF ALLEGATION #4: The officer conducted himself in an inappropriate manner.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer denied any inappropriate conduct. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/13/05 **DATE OF COMPLETION:** 06/14/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATIONS #1 through 3: The officers used unnecessary force.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: Witnesses gave conflicting statements. The named officers denied the allegation. Back-up officers denied seeing any unnecessary force by the named members and denied using any themselves. The investigation was unable to identify a third officer who used force. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer used profanity.

CATEGORY OF CONDUCT: D **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: No other witnesses reported hearing the alleged profanity. The named member denied using the alleged profanity. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/03/06 **DATE OF COMPLETION:** 06/16/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** PF **DEPT. ACTION:**

FINDINGS OF FACT: The complainant's complaint is her family has been victims of multiple acts of vandalism, car thefts and break-ins. On the most recent act of vandalism the officer documented the vandalism and the Incident Report was forwarded to the Inspectors Bureau for a follow-up investigation. The OCC has no jurisdiction over the deployment of SFPD members.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/05/06 **DATE OF COMPLETION:** 06/25/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer behaved inappropriately

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer yelled at him. The officers denied the allegation. The officer stated he was not angry but he did speak to the complainant in a stern manner emphasizing the importance of obeying the rules of the road. The witness did not want to come forward. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION # 2: The officer cited the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant said the officer accused him of failing to stop at a stop sign and cited him. The complainant said he did stop at the stop sign but did not want to argue with the officer. The officer denied the allegation. The witness did not want to come forward. There is insufficient evidence to prove or disprove the allegation.